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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

MAR 23 2004

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PUBLIC LIBRARY

Tuesday, January 6, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

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Members Present: Tom Ammiano, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On the call of the roll, the following Supervisors Dufty and Daly were noted absent.

Quorum present

Supervisor Daly was previously excused from attending today's meeting. (See Infra)
Supervisor Dufty was noted present at 2:04 p.m.

Supervisor Daly Excused from Attending

Supervisor Peskin, seconded by Supervisor Ammiano, moved. The motion carried by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

COMMUNICATIONS

President Gonzalez congratulated Supervisor Newsom on being elected as Mayor of the City and County of San Francisco.

CONSENT AGENDA

Recommendations of the Budget Committee

031873 **[Memorandum of Understanding - Police]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Police) to be effective July 1, 2003 through June 30, 2005.

Ordinance No. 12-04
FINALLY PASSED

031874 **[Memorandum of Understanding - Fire]**
Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association (Fire) to be effective July 1, 2003 through June 30, 2005.

Ordinance No. 13-04
FINALLY PASSED

031965 **[MOU - H-1 Fire Rescue Paramedics]**
Mayor

Ordinance adopting and implementing the 2003-2005 Memorandum of Understanding between the H-1 Fire Rescue Paramedics, Service Employees International Union, Local 790 and the City and County of San Francisco, to be effective July 1, 2003 through June 30, 2005.

Ordinance No. 16-04
FINALLY PASSED

Recommendations of the City Services Committee

030917 **[City Composting]**
Supervisors Sandoval, Dufty, Ma, Ammiano

Resolution urging all City facilities that have food service operations or generate significant compostable discards and all contracted food service vendors operating on City premises to participate in composting and recycling collection programs and to use food service materials that either are recyclable or compostable; and to purchase compost and/or mulch that is made from San Francisco's composting or mulching programs.

Supervisor Ammiano requested to be added as a co-sponsor.
Resolution No. 11-04
ADOPTED

031843 **[HIV risk behavior surveillance among men who have sex with men]**
Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $172,882 from the Centers for Disease Control and Prevention (CDC) for HIV risk behavior surveillance among men who have sex with men and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)

Supervisor Ammiano requested to be added as a co-sponsor.
Resolution No. 16-04
ADOPTED

031844 **[Contract funds for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men]**
Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of $100,929 for a safety trial of Tenofovir as a pre-exposure prophylaxis among high-risk men who have sex with men; for the period of October 1, 2003 to September 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Ammiano requested to be added as a co-sponsor.

Resolution No. 17-04
ADOPTED

031848 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Sheriff's Department: to accept and expend a three-year grant in the amount of $1,229,622 from the U.S Department of Education for providing a life skills program to women offenders. (Sheriff)

(Public Benefit Recipient.)

Resolution No. 18-04
ADOPTED

031852 **[Accept-Expend Federal/State Grant - Victim/ Witness Assistance Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $562,287 through the California Office of Criminal Justice Planning for the operation of a program entitled "Victim/Witness Assistance Program." (District Attorney)

(No Public Benefit Recipient.)

Resolution No. 19-04
ADOPTED

031853 **[Accept-Expend Federal Grant - Threat Management/Stalking Vertical Prosecution Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $140,000 through the California Office of Criminal Justice Planning for the operation of a program entitled "Threat Management/Stalking Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

Resolution No. 20-04
ADOPTED

031854 **[Accept-Expend Grant - Violence Against Women Vertical Prosecution Program]**
Supervisor Dufty

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $108,812 through the California Office of Criminal Justice Planning for the operation of a program entitled "Violence Against Women Vertical Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

Resolution No. 21-04
ADOPTED

031856 **[Demonstrate the use of rapid HIV testing to improve outcomes in partner counseling and referral services]**
Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of $393,478 from the Centers for Disease Control and Prevention (CDC) to use rapid HIV testing to improve outcomes in partner counseling and referral services and to enter into an agreement for the use of these funds; for the period of September 15, 2003 to September 14, 2005. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Ammiano requested to be added as a co-sponsor.
Resolution No. 22-04
ADOPTED

031857 **[Supplemental funds to assess HIV risk behaviors and trends, evaluate impact of prevention efforts]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively one-time supplemental grant funds in the total amount of $211,279 from the Centers for Disease Control and Prevention (CDC) under the CDC HIV/AIDS Surveillance and Seroprevalence Cooperative Agreements U62/CCU906255-12-2 and U62/CCU906255-12-4 to support HIV/AIDS surveillance activities and assess risks and benefits associated with testing results and to enter into agreements for the use of these funds; for the period of June 1, 2003 to December 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 23-04
ADOPTED

031900 **[Accept-Expend Federal/State Pass Through Grant]**
Supervisor Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $10,034 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)

(No Public Benefit Recipient.)

Resolution No. 28-04
ADOPTED

031915 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $5,000 from the California State Library for the purpose of enriching the learning experience of the students in Project Read's Adult Literacy Program with periodic book discussions. (Public Library)

(No Public Benefit Recipient.)

Resolution No. 29-04
ADOPTED

031835 **[Liquor License, 533 Sutter Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Matthew R. Shelton, for Shelton Theater located at 533 Sutter Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 15-04
ADOPTED

031858 **[Liquor License Transfer, 236 8th Street]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1162 Folsom Street to 236 8th Street to Celeste Tonogbanua for The Gifted Basket will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 24-04
ADOPTED

031947 **[Expand supportive housing services to the homeless in San Francisco]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Housing and Urban Health (SFDPH) to accept retroactively and expend a grant in the amount of $745,125 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to expand supportive housing services to the homeless in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)

Resolution No. 32-04
ADOPTED

031950 **[Accept-Expend State Grant]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety (OTS) for a project entitled "You Drink & Drive, You Lose" national campaign. (Police Department)

(No Public Benefit Recipient.)

Resolution No. 33-04
ADOPTED

031951 **[Accept-Expend Federal Grant]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives for a project entitled Gang Resistance Education And Training (G.R.E.A.T.) (Police Department)

(No Public Benefit Recipient.)

Resolution No. 3-04
ADOPTED

Recommendation of the Finance and Audits Committee

031526 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 12-04
ADOPTED

Recommendations of the Land Use Committee

031832 **[Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As a Landmark Under Planning Code Article 10]**
Supervisors Daly, Peskin, Gonzalez

Ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, As Landmark No. 238 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code. (Planning Department)

(No Public Benefit Recipient.)

Ordinance No. 10-04
FINALLY PASSED

031898 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency Board of Directors to accept and expend $4,918,393 of Federal Earmarked Capital Assistance for design and construction of Muni's Islais Creek Facility and security-related activities. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 26-04
ADOPTED

031899 **[Accept-Expend Federal Grant]**
Resolution authorizing the Municipal Transportation Agency to accept retroactively and expend a grant in the amount of $123,600 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plans for Fiscal Year 2002 and Fiscal Year 2004. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 27-04
ADOPTED

Recommendations of the Rules Committee

031503 **[New administrative debarment procedure]**
Supervisors Peskin, McGoldrick, Gonzalez

Ordinance adding a new Chapter 28 to the San Francisco Administrative Code to establish a City-wide administrative debarment procedure; amending Chapter 6 of the Administrative Code to reflect the adoption of the new Chapter 28.

Ordinance No. 8-04
FINALLY PASSED

031855 **[Settlement of Lawsuit - Poppie Kouremetis]**

Ordinance authorizing the settlement of lawsuit filed by Poppie Kouremetis against the City and County of San Francisco for $95,000; the lawsuit was filed on May 13, 2002, in San Francisco Superior Court and was removed to United States District Court, Case No. C02-02980 MEJ, entitled Kouremetis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 11-04
FINALLY PASSED

031912 **[Settlement of Lawsuit - Leo Rivkin]**

Ordinance authorizing settlement of the lawsuit filed by Leo Rivkin against the City and County of San Francisco for $110,000; the lawsuit was filed on February 22, 2001 in San Francisco Superior Court, Case No. 319-085; entitled Leo Rivkin, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 14-04
FINALLY PASSED

031913 **[Settlement of Lawsuit - Janet Prieto]**

Ordinance authorizing settlement of the lawsuit filed by Janet Prieto against the City and County of San Francisco for $85,000; the lawsuit was filed on January 2, 2002 in the San Francisco Superior Court, Case No. 403048; entitled Janet V. Prieto v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 15-04
FINALLY PASSED

031946 **[Settlement of Lawsuit - Billy Clark]**

Ordinance authorizing settlement of the lawsuit filed by Billy Clark against the City and County of San Francisco for $50,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-372; entitled Billy Clark v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 1-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

031973 **[Findings for disapproval of the categorical exemption issued for 937-939 Jackson Street]**

Motion setting forth findings to disapprove the determination by the Planning Department that the proposed project located at 937-939 Jackson Street is categorically exempt from the California Environmental Quality Act as an in-fill development project and as a general rule exclusion. (Clerk of the Board)

(Companion measure to Files 031905, 031906, 031907, 031908.)

Motion No. M04-001

APPROVED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Land Use Committee

031701 **[Distribution of literature by a residential tenant in a building to other tenants in the building, regarding matters of common interest or concern to the tenancies]**

Supervisors Peskin, Daly, McGoldrick, Gonzalez, Sandoval, Ammiano

Ordinance adding Administrative Code Chapter 49A "Residential Tenant Communications" regarding a residential tenant's permissible use of common areas to distribute literature to other tenants in the building, including literature distributed on behalf of a tenants' association or other tenants' organization, where the literature relates to issues of common interest or concern to the building's tenancies; distribution may include placement of literature on or in front of tenant doors, with the distributor's name/address/telephone number plainly included for any tenant to opt out of future doorway distributions; and, the landlord may establish other reasonable requirements as to the time, place, manner, and volume, of such literature distribution.

Supervisors Sandoval and Ammiano requested to be added as co-sponsors.

Ordinance No. 9-04

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

031916 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS - ESTABLISH
3rd Street, northbound, at Townsend Street. (Parking and Traffic Department)

Resolution No. 30-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

NEW BUSINESS

Recommendation of the City Services Committee

031242 **[Participation in the Supportive Transitional Emancipation Program for foster youth]**
Supervisors Daly, Dufty, Ammiano

Ordinance adding Article III to Chapter 20 of the San Francisco Administrative Code to establish participation in the Supportive Transitional Emancipation Program (STEP), in which eligible foster youth may receive financial support while participating in an educational or training program, or any activity consistent with their transitional independent living plan up to 21 years of age pursuant to section 11403.1 of the Welfare and Institutions Code.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Finance and Audits Committee

031506 **[Appropriate funding for the sale of school bond proceeds for capital improvement projects on various school facilities]**
Mayor, Supervisor Sandoval

Ordinance appropriating $29,480,000 of school bond proceeds for capital improvement projects on various school facilities, cost of issuance, and other related costs for the San Francisco Unified School District for fiscal year 2003-04.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031814 **[Purchase of real property located at 438 Page Street, Assessor's Block 841, Lot 29]**
Supervisor Gonzalez

Resolution approving and authorizing the purchase of certain real property; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.

(Fiscal impact.)

Resolution No. 14-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031886 **[Extending the Cooperative Agreement between TIDA and the U.S. Navy through which TIDA provides caretaker services at former Naval Station Treasure Island]**
Mayor

Resolution, retroactive to October 1, 2003, approving and authorizing the Treasure Island Development Authority to enter into the 16th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to September 30, 2004.

Resolution No. 25-04
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Land Use Committee

031193 **[Historic District Street Signs]**
Supervisor Peskin

Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on certain street signs located within a historic district.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031792 **[Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]**
Supervisors Peskin, Daly, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible base rent increases based upon a landlord's Operating and Maintenance petitions pending or filed on or after October 28, 2003 for a property with six or more residential units, so that the same landlord may not impose more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.

Supervisor Ammiano requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Dufty, Gonzalez, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Ma, Maxwell
Excused: 1 - Daly

031957 **[Mission Bay Owens Street at Park P1 Improvements]**

Ordinance designating a portion of State Trust Parcel 2 adjacent to Park P1 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way (Channel); designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance responsibilities and liability purposes, subject to specified limitations; accepting an agreement relating to temporary City access, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,529 and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031958 **[Mission Bay Third Street/16th Street Utility Project]**

Ordinance recommending the recordation of the conditional irrevocable offer of portions of property adjacent to Third Street; accepting portions of the irrevocable offer for the joint trench acquisition facilities and rejecting the offer of the Pacific Gas & Electric facilities; dedicating said accepted acquisition facilities for right-of-way purposes; designating said accepted acquisition facilities for public use and designating said accepted acquisition facilities for maintenance purposes; accepting the Easement Agreement for public utility purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,530; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

031623 **[African American Cultural and Entertainment Center]**
Supervisors Maxwell, Daly, Ma, Newsom, Sandoval, McGoldrick, Hall, Dufty, Ammiano

Resolution welcoming the African American Cultural and Entertainment Center (AACEC) to San Francisco and urging the San Francisco Port Commission to negotiate with the AACEC development team.

Supervisor Ammiano requested to be added as a co-sponsor.

Resolution No. 13-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Alexander, staffing for Visitacion playground
Robert Pinder; VP Park Merced Residents Organization

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

031944 **[Traffic Regulation - Maiden Lane]**
Supervisor Peskin

Resolution Enacting "Street Closed To Vehicular Traffic" Regulation on Maiden Lane, Between Stockton and Kearny Streets, From 11 A.M. to 6 P.M., Every Day Including Holidays.

Resolution No. 31-04
ADOPTED

032009 **[Implementation of AB 117]**
Supervisor Gonzalez

Resolution supporting AB 117 which concerns community aggregation of power by local agencies.

Resolution No. 34-04
ADOPTED

032034 **[Gift in Place to Recreation and Park Department, $288,355]**
Supervisors Hall, Maxwell, Ma

Resolution accepting and expending a gift in place valued at $288,355 from the friends of Recreation and Parks to the Recreation and Park Department for Lake Merced.

(No Public Benefit Recipient.)

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 36-04
ADOPTED

032035 **[Biosciences Task Force]**
Supervisor Maxwell

Resolution adding one additional member to the existing San Francisco Biosciences Task Force formed by Board Resolution No. 217-03.

Resolution No. 37-04
ADOPTED

032038 **[Accept and Expend Gift - Levi Strauss Foundation]**
Supervisor Hall

Resolution retroactively accepting and expending a gift in the amount of $12,500 from the Levi Strauss Foundation.

Resolution No. 39-04
ADOPTED

032039 **[Accept-Expend Grant - Public Defender, $15,000]**
Supervisor Sandoval

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $15,000 from the VanLobenSels/RembeRock Foundation for a social worker position dedicated to working with female juvenile offenders.

Resolution No. 1-04
ADOPTED

032040 **[Accept-Expend Grant - Public Defender, $40,000]**
Supervisor Sandoval

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $40,000 from the San Francisco Foundation for a social worker position dedicated to working with female juvenile offenders.

Resolution No. 2-04
ADOPTED

032041 **[Importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of San Francisco]**
Supervisor Sandoval

Resolution urging the City's Health Service System to explore the feasibility and cost effectiveness of the importation of prescription medications from Canada by or for members of the City's Health Service System and citizens of the City and County of San Francisco.

Resolution No. 40-04
ADOPTED

032042 **[Extending the meetings of the Homeless Senior Task Force]**
Supervisor Daly

Resolution amending Resolution No. 682-02 to extend the meetings of the Homeless Senior Task Force for an additional six months.

Resolution No. 41-04
ADOPTED

032043 **[Declaration of Election Results]**

Resolution declaring the results of the December 9, 2003 Municipal Run-off Election. (Clerk of the Board)

Resolution No. 35-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

032032 **[Requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program]**

Supervisor Maxwell

Motion requesting the Office of the Controller to conduct a management audit of the Department of Recreation and Park's Aquatics Program.

Motion No. M04-003

APPROVED

032022 **[Needle Exchange Emergency]**

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-002

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Severed From Adoption Without Committee Reference

032036 **[Acknowledgement of Congresswoman Pelosi's Support of Central Subway]**

Supervisors Peskin, Dufty, Maxwell, Ma, Daly, Ammiano

Resolution acknowledging and commending House Democratic Leader Nancy Pelosi for her role in securing federal funding essential to the Central Subway, Phase II of the Third Street Light Rail project, and other transportation infrastructure projects that will benefit San Francisco and the region.

Supervisor Ma requested that this matter be severed so that it could be considered separately.

Resolution No. 38-04

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

032037 **[Commending John Arntz and the Department of Elections]**
Supervisors Peskin, Ma, Dufty, Hall

Resolution commending John Arntz and the Department of Elections for their exemplary professionalism in conducting three elections in three months.

REFERRED to the Rules Committee.

Recess

The Board recessed at the hour of 2:34 p.m.

Reconvening of the Board

The Board at the hour of 2:41 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval - 10

Quorum present.

The Board members expressed gratitude and best wishes to Mayor Willie E. Brown, Jr.

Mayor Brown responded to the acknowledgments made by the Board members.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

032029 **[Extended Hours Permits]**
Supervisors Dufty, Daly, Ammiano, Gonzalez

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

12/16/03, RECEIVED AND ASSIGNED to City Services Committee.

1/6/04, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance, approved as to form, bearing same title.

1/6/04, ASSIGNED to City Services Committee.

040002 **[Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]**
Mayor

Ordinance appropriating $1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.

(Fiscal impact.)
1/6/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

040003 **[STOP Intersections - Various Streets]**
Supervisor McGoldrick

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lincoln Way, Martin Luther King Jr. Drive, and La Playa Street, stopping Lincoln Way, making this intersection an All-Way STOP.
Great Highway and John F. Kennedy Drive, stopping The Great Highway, making this intersection and All-Way STOP.
Fulton and La Playa Streets, stopping Fulton Street, making this intersection an All-Way STOP.
47th Avenue and Fulton Street, stopping Fulton Street, making this intersection an All-Way STOP.
1/6/04, RECEIVED AND ASSIGNED to Land Use Committee.

040005 **[State law related to alcohol closing hours]**
Supervisor Peskin

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.
1/6/04, RECEIVED AND ASSIGNED to Rules Committee.

040006 **[Grant - Recreation and Park, $154,020]**
Mayor, Supervisors Hall, Dufty

Resolution accepting and expending a grant from the Land and Water Conservation Funds in the amount of $154,020 for the renovation of McLaren Park, Yosemite Creek and Marsh.
1/6/04, RECEIVED AND ASSIGNED to City Services Committee.

040010 **[Grant - Recreation and Park, $4,742,243]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation & Park Department to accept and expend funds available under The Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 in the amount of $4,742,243.
1/6/04, RECEIVED AND ASSIGNED to City Services Committee.

040011 **[State Grant - Recreation and Park, $5,651,000]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation and Park to accept and expend State Grant Funds under the Per Capita Grant Program in the total amount of $5,651,000 from the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 to funding the following projects: Harding Park Club House, $3,500,000; Harvey Milk Center, $1,800,000; Chinese Recreation Center, $126,000; Minnie and Lovie Ward Recreation Center, $125,000; and Geneva Office Building/Car Barn, $100,000.
1/6/04, RECEIVED AND ASSIGNED to City Services Committee.

040012 **[State Grant - Recreation and Park, $32,673,000]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of $32,673,000 for following Golden Gate Park projects: Bison Paddock, $800,000; Children's Quarters Playground, $1,000,000; Kezar Pavilion Planning and Studies, $867,000; Concourse Institutions (Academy of Science, $3,000,000 and DeYoung Museum, $2,000,000; McLaren Lodge , $7,000,000; Music Concourse, $7,050,000; RPD GGP Projects, $818,000; Park Aid Station, $1,155,000; Portals of the Past, $100,000; Rhododendron Dell, $600,000; Signage for GGP, $100,000; South and Middle Lakes, $3,000,000; Stables, $1,400,000; Strybing, $3,000,000; and Urban Forestry Yard, $783,000.
1/6/04, RECEIVED AND ASSIGNED to City Services Committee.

Request for Hearings

040001 **[Eastern Neighborhood Community Plan]**
Supervisor McGoldrick

Hearing to discuss interim measures for the Eastern Neighborhood Community Plan, the work scope of Public Benefit Zoning and Community Impact Report (Socio-Economic Analysis), and to discuss non-conforming uses. Planning Department staff will also provide a status report on the environmental review process for the rezoning of the Eastern Neighborhoods.
1/6/04, RECEIVED AND ASSIGNED to Land Use Committee.

040007 **[Vehicle Leasing Program]**
Supervisor Peskin

Hearing regarding the progress and implementation of the City of San Francisco's Vehicle Leasing Program under the supervision of the Department of Administrative Services.
1/6/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040008 **[Update on SFO Enterprises]**
Supervisor Gonzalez

Hearing regarding an Airport-provided update on SFO Enterprises.
1/6/04, RECEIVED AND ASSIGNED to Budget Committee.

040013 **[Mayoral appointments to the Department of Building Inspection Commission and the Workforce Development Advisory Committee]**

Hearing to consider Mayoral appointments to the Department of Building Inspection Commission and the Workforce Development Advisory Committee, made between December 22, 2003 and noon of January 8, 2004. (Clerk of the Board)

1/6/04, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

040009 **[Charter Amendment - Retirement benefits for miscellaneous officers and employees]**
Supervisor Sandoval

Charter Amendment (First Draft) to amend Sections A8.509 and A8.587 relating to retirement benefits for miscellaneous officers and employees.

(Fiscal impact.)

1/6/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/5/2004.

Motion

040004 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

1/6/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

032012 **[Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]**

Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(Public Benefit Recipient.)

12/9/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

031974 **[Establishing Monthly Contribution Amount]**

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)

12/26/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031975 **[Year 4 Renewal of SFPUC Program Management Services Contract]**

Resolution retroactively approving the Public Utilities Commission's approval of the fourth year renewal of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) to provide program management services for the SFPUC Capital Improvement Program, for an amount not to exceed $11 million; and approving the Contract Year 3 performance fee for an amount not to exceed $497,000. (Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

12/29/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032007 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

NO TURNS - ESTABLISH
Octavia Frontage Road, northbound, at Haight Street;
Octavia Frontage Road, northbound, at Fell Street; and
Octavia Frontage Road, southbound, at Oak Street.

NO LEFT TURNS - ESTABLISH
Octavia Boulevard, southbound, at Market Street;
Freeway off-ramp, (Octavia Boulevard) northbound, at Market Street;
Octavia Boulevard, northbound and southbound, at Haight Street;
Octavia Boulevard, northbound and southbound, at Page Street;
Octavia Boulevard, northbound and southbound, at Oak Street;
Octavia Frontage Road, southbound, at Haight Street;
Octavia Frontage Road, northbound and southbound, at Page Street;
Octavia Frontage Road, northbound and southbound, at Oak Street; and
Octavia Frontage Road, northbound and southbound, at Fell Street.

MULTIPLE LEFT TURN LANES - ESTABLISH
Octavia Boulevard, northbound, at Fell Street.

MULTIPLE RIGHT TURN LANES - ESTABLISH
Oak Street, eastbound, at Octavia Boulevard.

RIGHT TURN ONLY - ESTABLISH
Octavia Frontage Road, southbound, at Market Street;
Waller Street, eastbound, at Market Street; and
Octavia Frontage Road, southbound, at Fell Street.

NO TURN ON RED - ESTABLISH
Haight Street, eastbound and westbound, at Octavia Boulevard;
Page Street, eastbound and westbound, at Octavia Boulevard;
Market Street, Octavia Boulevard, Freeway Intersection, all approaches; and
Oak Street, eastbound, at Octavia Boulevard.

ONE-WAY STREET - ESTABLISH
East Octavia Frontage Road, northbound, between Hayes and Market Streets;
West Octavia Frontage Road, southbound, between Hayes and Market Streets;
Lily Street, westbound, between Laguna Street and Octavia Boulevard (reverses direction);
Rose Street, eastbound, between Gough Street and Octavia Boulevard (reverses direction);
Elgin Park, southbound, between Duboce Avenue and McCoppin Street; and
McCoppin Street, eastbound, between Elgin Park and Market Street.

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Eastbound Oak Street at Laguna Street.

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)
12/9/03, RECEIVED AND ASSIGNED to Land Use Committee.

032008 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Octavia Boulevard, both sides, between Hayes and Market Streets;
Fell Street, north side, between Frontage Road and Octavia Boulevard;
Octavia Frontage Road, east side, from Market Street to 140 feet northerly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Rose Street, north side, from Octavia Frontage Road to 30 feet easterly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Octavia Frontage Road, east side, from Page Street to 40 feet northerly;
Octavia Frontage Road, east side, from Oak Street to 40 feet northerly;
Octavia Frontage Road, west side, from Fell Street to 24 feet southerly;
Octavia Frontage Road, west side, from Oak Street to 40 feet southerly;
Lily Street, south side, from Octavia Frontage Road to 26 feet westerly;
Octavia Frontage Road, west side, from Haight Street to 60 feet southerly;
Oak Street, both sides, from Gough Street to 22 feet easterly; and
Oak Street, both sides, from 98 feet west of Franklin Street to 149 feet westerly.

BLUE ZONE - REVOKE
Oak Street, south side, from Gough Street to 28 feet easterly.

BLUE ZONE - ESTABLISH
Gough Street, west side, from Oak Street to 26 feet southerly.

TOW-AWAY, NO STOPPING, 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Oak Street, south side, from Octavia Boulevard to 150 feet westerly.

TOW-AWAY, NO STOPPING, 7:00 AM - 9:00 AM, MONDAY THROUGH FRIDAY - REVOKE
Oak Street, north side, from Octavia Street to Laguna Street. (Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)
12/9/03, RECEIVED AND ASSIGNED to Land Use Committee.

032010 **[Extend for the third year of funding the HIV Care and Related Services for Women and Minorities grant]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $745,125 from the Department of Health and Human Services, Office of Minority Health (DHHS, OMH) to provide the third year of funding for HIV Care and Related Services for Women and Minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)
12/12/03, RECEIVED AND ASSIGNED to City Services Committee.

032011 **[BART Payment for MUNI Transfer Trips]**

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2003-2004. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
12/11/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

032013 **[Evaluating the non-name HIV reporting system in California]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into the second year of an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $10,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2003 to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)
12/15/03, RECEIVED AND ASSIGNED to City Services Committee.

032014 **[Accept-Expend State Forgivable Loan]**
Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of $467,500 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to convert two floors of a building at 150 Otis Street in order to provide emergency homeless shelter services. (Human Services Department)

(Public Benefit Recipient.)
12/17/03, RECEIVED AND ASSIGNED to City Services Committee.

032015 **[Accept-Expend State Forgivable Loan]**
Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of $465,252 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to make major repairs to the Multi-Service Center South (695 Bryant Street) which provides homeless shelter services. (Human Services Department)

(Public Benefit Recipient.)
12/17/03, RECEIVED AND ASSIGNED to City Services Committee.

032045 **[Contract funds to expand healthcare services to newly housed people with disabilities]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the San Francisco Community Clinic Consortium (SFCCC), the primary contractor, and accept and expend funds in the amount of $299,773 to expand healthcare services to newly housed people with disabilities; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)
12/18/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be calendared at the January 8, 2004 meeting.

032048 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Dartmouth and Silliman Streets, facing Dartmouth Street, making this intersection an all-way STOP;
Burrows and Hamilton Streets, facing Hamilton Street, making this intersection an all-way STOP; and
Mullen and Peralta Avenues, stopping Peralta Avenue at Mullen Avenue, making this uncontrolled intersection a two-way STOP. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)
12/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

032049 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Lucky Street, west side, from the north property line to the south property line of 2843 Folsom Street (a 25-foot zone across from 39 Lucky Street); and
Dolores Street, west side, from 28th Street to eight feet northerly.

NO PARKING ANYTIME - RESCIND
Ellsworth Street, west side, from the south property line of 760 Ellsworth Street to the south property line of 764 Ellsworth Street, north of Alemany Boulevard (50 feet).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Castro Street, both sides, between 23rd and Elizabeth Streets (1100 block); and
Elizabeth Street, both sides, between Castro and Noe Streets. (500 block).

ANGLE PARKING (45-DEGREE) - ESTABLISH
Oakdale Avenue, north side, from 140 feet east of 3rd Street (near Mendell Street) to Lane Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Mendell Street, both sides, between Oakdale and Palou Avenues;
Rivera Street, on the eastern terminus, from the southeast corner to a point 24 feet northerly; and
Rivera Street, south side, from the terminus to a point 10 feet westerly.
Greenwich Street, east of Hyde Street, from the north curb line to 13 feet southerly and from 39 feet to the south curb line, along the terminus wall.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Brannan Street to 40 feet southerly;
Oakdale Avenue, both sides, from 3rd Street to 16 feet east of Mendell Street;
Washington Street, south side, from Leavenworth Street to 10 feet westerly (replaces seven-foot red zone);
Market Street, east side, from Corbett Avenue and Portola Drive crosswalk to 550 feet northerly; and
Portola Drive, east side, from Corbett Avenue and Market Street crosswalk to 385 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 27th and Duncan Streets (portion of the 1500 block).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" AND "C" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Broadway, north side, from 13 to 240 feet east of Hyde Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hill Street, north side, between Guerrero and Valencia Streets, in front of 16 Hill Street (accommodates five unmetered motorcycle spaces);
Greenwich Street, east of Hyde Street, from 35.5 feet to 39 feet south of the north curb line, along the terminus wall, for one space;
Steiner Street, east side, between the driveways of 1000 and 1006 Steiner Street (accommodating six to seven motorcycle parking stalls);
Dolores Street, west side, from 8 feet to 22 feet north of 28th Street (accommodates four unmetered motorcycle parking spaces);
Waller Street, between the driveways of 231 and 235 Waller Street (accommodates two motorcycle parking spaces);
Frederick Street, adjacent to the triangular island east of Arguello Boulevard, on the north side of the island,

from the east end to 14 feet westerly (accommodates four unmetered motorcycle stalls), and on the south side of the island, from the east end to eight feet westerly (accommodates two unmetered motorcycle stalls).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Cesar Chavez Street, north side, from Castro Street to 400 feet easterly;
Gaven Street, north side, from west curb line of Bowdoin Street to west edge of driveway at 394 Gaven Street (80-foot zone);
Lyon Street east side, between Golden Gate Avenue and Turk Street;
Cole Street, west side, from Carmel Street to 195 feet southerly;
Greenwich Street, east of Hyde Street, from 13 feet to 39 feet south of the north curb line, along the terminus wall;
Jones Street, west side, from California Street to Pine Street;
4th Avenue, east side, between Irving Street and Parnassus Avenue;
5th Avenue, east side, between Irving Street and Parrnassus Avenue;
Taylor Street, west side, between California and Pine Streets;
Mason Street, east side, between Bush and California Streets;
Dartmouth Street, west side, from Dwight Street to a point 45 feet north of Mansell Street;
Hamilton Street, west side, between Dwight and Woolsey Streets;
Barneveld Avenue, east side, from Gaven Street to Silver Avenue;
18th Street, south side, between Arkansas and Connecticut Streets;
23rd Street, south side, between Indiana and Minnesota Streets;
De Haro Street, east side, between 19th Street and Southern Heights Avenue;
De Haro Street, east side, between 22nd and 23rd Streets;
Minnesota Street, east side, between 22nd Street and terminus south of 22nd Street;
Missouri Street, west side, from 0 to 200 feet north of 17th Street;
San Bruno Avenue, east side, between 16th and 17th Streets;
Tennessee Street, east side, between 20th and 22nd Streets;
Tennessee Street, both sides, from 0 to 170 feet south of 22nd Street; and
San Bruno Avenue, both sides, from 18th to 20th Streets. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)
12/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

032050 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Oakdale Avenue, both directions, from Phelps Street to 180 feet west of 3rd Street and from 3rd Street to 80 feet easterly.

RIGHT TURN ONLY - RESCIND
21st Street, eastbound and westbound, at Guerrero Street.

NO LEFT TURN EXCEPT MUNI AND TAXIS FROM 3 PM TO 7 PM (SIX-MONTH TRIAL) - ESTABLISH
Northbound Potrero Avenue to westbound 24th Street; and
Eastbound 24th Street to northbound Potrero Avenue.

STREET CLOSURE, 10 AM to 3 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Leidesdorff Alley, between Halleck and Sacramento Streets.

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - ESTABLISH
Arago Street, between Havelock and Paulding Streets. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)
12/22/03, RECEIVED AND ASSIGNED to Land Use Committee.

In Memoriams

Roger Tom (Entire Board)
Ian McGrew (Supervisor Hall)
Ivy Lee, Jr. (Supervisor Hall)
Sandra DeNola Kirshenbaum (Supervisor McGoldrick)

ADJOURNMENT

There being no further business, the Board at the hour of 3:10 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 27, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

MAR 23 2004

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PUBLIC LIBRARY

Tuesday, January 13, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Sandoval, moved to approve November 25, 2003, December 9, 2003 and December 16, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the City Services Committee

031242 **[Participation in the Supportive Transitional Emancipation Program for foster youth]**
Supervisors Daly, Dufty, Ammiano

Ordinance adding Article III to Chapter 20 of the San Francisco Administrative Code to establish participation in the Supportive Transitional Emancipation Program (STEP), in which eligible foster youth may receive financial support while participating in an educational or training program, or any activity consistent with their transitional independent living plan up to 21 years of age pursuant to section 11403.1 of the Welfare and Institutions Code.

Ordinance No. 3-04
FINALLY PASSED

Recommendations of the Finance and Audits Committee

031506 **[Appropriate funding for the sale of school bond proceeds for capital improvement projects on various school facilities]**
Mayor, Supervisor Sandoval

Ordinance appropriating $29,480,000 of school bond proceeds for capital improvement projects on various school facilities, cost of issuance, and other related costs for the San Francisco Unified School District for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 4-04
FINALLY PASSED

031808 **[Prevailing Wage Rates]**
Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; and workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City. (Civil Service Commission)

(No Public Benefit Recipient.)

Resolution No. 5-04
ADOPTED

031845 **[Accept-Expend Regional Grant]**
Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling $248,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

(No Public Benefit Recipient.)

Resolution No. 6-04
ADOPTED

031910 **[Contracting out Janitorial Services]**
Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 8-04
ADOPTED

Recommendations of the Land Use Committee

031193 **[Historic District Street Signs]**
Supervisor Peskin

Ordinance adding Traffic Code Section 8 to require that the Department of Parking and Traffic provide information indicating the designated historic district on certain street signs located within a historic district.

Ordinance No. 2-04
FINALLY PASSED

031957 **[Mission Bay Owens Street at Park P1 Improvements]**
Ordinance designating a portion of State Trust Parcel 2 adjacent to Park P1 for public right-of-way purposes; approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way (Channel); designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public use and accepting for maintenance responsibilities and liability purposes, subject to specified limitations; accepting an agreement relating to temporary City access, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,529 and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

Ordinance No. 6-04
FINALLY PASSED

031958 **[Mission Bay Third Street/16th Street Utility Project]**
Ordinance recommending the recordation of the conditional irrevocable offer of portions of property adjacent to Third Street; accepting portions of the irrevocable offer for the joint trench acquisition facilities and rejecting the offer of the Pacific Gas & Electric facilities; dedicating said accepted acquisition facilities for right-of-way purposes; designating said accepted acquisition facilities for public use and designating said accepted acquisition facilities for maintenance purposes; accepting the Easement Agreement for public utility purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,530; and authorizing official acts in connection with this ordinance. (Public Works Department)

(No Public Benefit Recipient.)

Ordinance No. 7-04
FINALLY PASSED

Recommendation of the Rules Committee

032006 **[Settlement of Charges]**
Resolution approving the settlement of California Department of Fair Employment and Housing and Equal Employment Opportunity Commission charges, filed by Ana Guevara on September 20, 2002, against the City and County of San Francisco alleging failure to reasonably accommodate and failure to engage in the interactive process under the disability laws. On September 17, 2003, Ana Guevara made a pre-litigation settlement demand to the City regarding her claims. (City Attorney)

Resolution No. 10-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

032053 **[Adopting findings related to the determination that the appeal of 701 Lombard St. negative declaration was timely]**
Motion adopting findings related to the determination that the appeal of the negative declaration issued on January 15, 2003 for 701 Lombard Street was timely filed. (Clerk of the Board)

(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

Motion No. M04-4
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

032054 **[Adopting findings related to the appeal of the negative declaration issued by the Planning Department for the 701 Lombard Street project]**
Motion adopting findings related to the appeal of the negative declaration issued by the Planning Department on January 15, 2003 for 701 Lombard Street project. (Clerk of the Board)

(Companion measure to Files 031840, 031841, 031842, 031860, 031861, 031862, 031863.)

Motion No. M04-5
APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Ma

Recommendation of the City Services Committee

031929 **[San Francisco Law Library Justice Center]**
Mayor, Supervisor Gonzalez

Resolution in support of the San Francisco Law Library Justice Center at 525 Golden Gate Avenue.

Resolution No. 9-04
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Land Use Committee

031792 **[Residential rent ordinance: limit permissible rent increases under a landlord's Operating and Maintenance petitions to a total of 7% for any unit in any five-year period]**
Supervisors Peskin, Daly, Ammiano

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) by amending Section 37.8(b)(1) to limit permissible base rent increases based upon a landlord's Operating and Maintenance petitions pending or filed on or after October 28, 2003 for a property with six or more residential units, so that the same landlord may not impose more than a total seven percent (7%) rent increase for any unit in any five (5) year period due to increases in operating and maintenance costs.

Ordinance No. 5-04
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Ma

Recommendation of the Rules Committee

031534 **[Appointment]**
Resolution appointing F.X. Crowley, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

F.X. Crowley, succeeding Robert McDonnell, deceased, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.

Supervisor Dufty dissenting in committee.

Supervisor Daly moved to refer this matter to Committee. Motion failed for lack of a second.
Supervisor Sandoval, seconded by Supervisor Ammiano, moved to amend by substituting the appointment of F.X. Crowley with the appointment of Sabrina Hernandez.
Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 6 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Sandoval
Noes: 4 - Daly, Gonzalez, Hall, Peskin

Resolution appointing Sabrina Hernandez, term ending January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

Resolution No. 4-04
ADOPTED AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Hall

Supervisor Daly, seconded by Supervisor Peskin, moved to rescind the previous vote.
Motion carried without objection.
Resolution No. 4-04
ADOPTED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Gonzalez, Hall

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031871 **[Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]**
Mayor, Supervisor Sandoval

Ordinance appropriating $3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes $3,120,000 for purchasing and closing costs of the property and $680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031887 **[Agreement to Purchase 850 Broderick Street]**
Mayor, Supervisor Sandoval

Resolution approving and authorizing an agreement for the purchase of real property located at 850 Broderick Street to house low-income people for a purchase price of $3,100,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, making certain modifications and take certain actions in furtherance of this resolution.

(Fiscal impact; Companion measure to File 031871.)

Resolution No. 7-04
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Rules Committee

031989 **[Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

Supervisor Dufty, seconded by Supervisor Peskin, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:21 p.m.

Reconvening of the Board

The Board at the hour of 4:02 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval - 8

Quorum present.

Supervisor Dufty was noted present at 4:03 p.m.
Supervisor McGoldrick was noted present at 4:04 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**
Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Real Estate Department)

Continued to February 10, 2004

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Hall, Ma

SPECIAL ORDER 4:00 P.M.

031969 **[Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)

(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

Continued to January 27, 2004

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031970 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 27, 2004

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031971 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 27, 2004

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031972 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 27, 2004

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless and general issues
Roger Meyers; audit of ISLP
Mr. Jones; homeless issues
Eduardo; muni issues involving environmental concerns
Steve Cockwell; Natural Areas Program issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor McGoldrick was noted absent at 3:15 p.m.

040004 **[Needle Exchange Emergency]**

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-6
APPROVED

040038 **[Final Map for a 12 Unit Mixed-Use Condominium Project]**

Motion approving Final Map of 49 Ocean Avenue, A Mixed-Use Condominium Project, being a subdivision of Lot 37 in Assessor's Block No. 6955, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,585; District 11.)

Motion No. M04-7
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Noes: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040055 **[Fees for regulation of mobile storage containers on the public right-of-way]**
Supervisors Peskin, Daly

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

031770 **[General Plan Amendments]**
Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)
10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.
1/22/04 - Called Out of Committee Notice mailed to interested parties.
1/22/04 - Received correspondence from Sue Hestor, attorney for the Rincon Hill Residents Association, requesting to continue matter for two weeks or refer item back to committee. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)
1/23/04 - Received correspondence from Sue Hestor, Attorney for Rincon Hill Residents Association challenging ability of the Board of Supervisors to consider General Plan Amendments File Nos. 031770. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)
1/23/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.
1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)
1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

031771 **[Zoning Map Amendment - Rincon Hill Area]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.
1/22/04 - Called Out of Committee Notice mailed to interested parties.
1/22/04 - Received correspondence from Sue Hestor, attorney for the Rincon Hill Residents Association, requesting to continue matter for two weeks or refer item back to committee. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)
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1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)
1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

031772 **[Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

10/22/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/4/2003.

1/13/04, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Ma called this measure from the Land Use Committee for Board consideration January 27, 2004.
1/22/04 - Called Out of Committee Notice mailed to interested parties.
1/22/04 - Received correspondence from Sue Hestor, attorney for the Rincon Hill Residents Association, requesting to continue matter for two weeks or refer item back to committee. Copies sent to Planning Department. (See File Nos. 031770, 031771, 031772, 040072)
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1/26/04 - Received correspondence from Supervisor Daly's office. Copies were distributed to each Board member. (See File Nos. 031770, 031771, 031772, 040072)
1/27/04 - Received correspondence from Tishman Speyer Properties. Copies were by distributed to each Board member by Tishman Speyer.

030677 **[Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]**
Supervisor Peskin

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)
4/22/03, RECEIVED AND ASSIGNED to City Services Committee.

7/23/03, TRANSFERRED to Finance and Audits Committee. The Budget Analyst reports that this item has fiscal impact.

11/18/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

11/18/03, ASSIGNED to Finance and Audits Committee.

1/13/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

1/13/04, ASSIGNED to Finance and Audits Committee.

031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisor Daly

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.
9/30/02, RECEIVED AND ASSIGNED to Rules Committee.

10/21/03, SUBSTITUTED. Supervisor Newsom presented a substitute ordinance approved as to form, replacing a draft previously submitted.

10/21/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/20/2003.

10/29/03, REFERRED TO DEPARTMENT. Referred to Ethics Commission for Comment.

1/13/04, ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.

1/13/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

031880 **[Amending Fire Code to require self-contained breathing replenishment systems in high rise building]**
Supervisors Dufty, Daly, Hall, Peskin, Ma

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after June 30, 2004.
11/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 12/18/2003.

1/13/04, ASSIGNED to Land Use Committee.

1/13/04, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing same title.

Resolutions

040053 **[Mortgage Revenue Bonds]**
Mayor

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $5,000,000; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $5,000,000 for the Klimm Apartments multi-family residential rental housing development; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the January 28, 2004 meeting.

040054 **[Redevelopment of San Francisco Airport Plot 9]**
Supervisor McGoldrick

Resolution urging San Francisco Airport Commission to undertake a comparative financial analysis of the costs and benefits of the Airport redeveloping Plot 9 using its own financing versus redevelopment by an outside developer under a Lease Disposition and Development Agreement and Lease of Plot 9; further urging the Commission to present its comparative financial analysis to the Finance Committee of the Board of Supervisors; and further urging the commission to undertake a new Request for Qualifications/Proposals process for redevelopment of Plot 9 that will assure City residents that the selection process truly serves the best financial interests of the Airport and of the City.
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040056 **[Cost sharing agreement to address Ocean Beach erosion issues]**
Mayor, Supervisors Ma, Hall, McGoldrick

Resolution approving a Fiscal Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040057 **[State law change related to alcohol closing hours]**
Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.
1/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 1/27/04 - Received response from the S.F. Youth Commission.

040058 **[Economic Opportunity Council]**
Supervisors Daly, Peskin, Ma, Dufty, Alioto-Pier

Resolution urging the Economic Opportunity Council of San Francisco to immediately restore the supplemental nutrition distribution system sites to serve the needs of San Francisco seniors.
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

040062 **[Honoring the contributions of the LGBT Community to the History and Culture of San Francisco]**
Supervisors Ammiano, Dufty, Peskin, Sandoval

Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040063 **[Renaming SBC Park playing grounds as "Mays Field"]**
Supervisors Daly, Gonzalez

Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040064 **[AIDS Drug Assistance Program]**
Supervisors Daly, Ammiano, Dufty

Resolution urging the Governor and Legislature to fully fund the California AIDS Drug Assistance Program (ADAP) and reject an enrollment cap.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040065 **[Commending Martha Knutzen]**
Supervisors Dufty, Ammiano, Ma, Maxwell

Resolution commending Martha Knutzen for distinguished public service on the San Francisco Human Rights Commission.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040066 **[Commending the Organization of Chinese Americans]**
Supervisors Ma, Dufty, Peskin

Resolution commending the Organization of Chinese Americans on their valuable contributions towards the issuance of a series of commemorative stamps based on the Chinese zodiac of the lunar New Year calendar.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040067 **[Commending Robert Morey]**
Supervisor Maxwell

Resolution commending Robert Morey for his dedication and exemplary service to the Visitacion Valley community and proclaiming January 24, 2004 as Robert Morey Day in San Francisco.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040068 **[Commending Community Works, Sheriff's Department and Visitacion Valley Middle School]**
Supervisor Maxwell

Resolution commending Community Works, Sheriff Department and Visitacion Valley Middle School for the creation and implementation of The ROOTS program.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040069 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040070 **[Accept-Expend State Grant]**
Supervisor Ma

Resolution authorizing the Recreation and Park Department to accept and expend a Recreational Trails Program grant in the total amount of $220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

Request for Hearings

040059 **[Pedestrian safety in the Excelsior area]**
Supervisor Sandoval

Hearing to address pedestrian safety in the Excelsior area. The Police Department, Department of Parking and Traffic, MUNI, Department of Public Works and other City departments, in addition to neighborhood organizations, will be invited to outline their response to pedestrian safety issues plaguing this area and to make recommendations to the Board of Supervisors as to what actions the Board can take to support and augment their efforts.
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

040060 **[Blackout in San Francisco]**
Supervisors Daly, Dufty

Hearing to consider the blackout in San Francisco, particularly its impacts in District 6 and District 8.
1/13/04, RECEIVED AND ASSIGNED to City Services Committee.

040061 **[DPT Management and Accounting Controls]**
Supervisor Ma

Hearing to review the Department of Parking and Traffic's management and accounting controls over the City's parking ticket division, including but not limited to, the procedures in place to avoid ticket fixing.
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motion

040071 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

032052 **[Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]**
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions. (Taxi Commission)

(No Public Benefit Recipient.)
12/29/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

040036 **[Settlement of Claim - North Coast County Water District]**
Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for $86,247.48; claim was filed on August 29, 2003.
1/5/04, RECEIVED AND ASSIGNED to Rules Committee.

040037 **[Lease of Real Property - 1145 Market Street]**
Resolution authorizing the lease of 30,790 sq. ft. of office space in the building located at 1145 Market Street, San Francisco for the City and County of San Francisco Public Utilities Commission. (Real Estate Department)
1/5/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft legislation establishing a fee structure for manufacturers of parking tax revenue control equipment, owners of property used for parking, and operators of parking lots/garages.

In Memoriams

Ilse Thieler Solbach (Supervisors Daly, Peskin)
Edna Toshiko Shiota (Supervisor Dufty)
Jess Collins (Supervisor Gonzalez

ADJOURNMENT

There being no further business, the Board at the hour of 4:15 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 3, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

MAR 23 2004

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 27, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve January 6, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Services Committee

031948 **[Liquor License, Second Floor, 2369-2371 Market Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to P H Holdings Inc. dba The City, located at 2369-2371 Market Street, 2nd Floor (District 8), in exchange for current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 43-04
ADOPTED

032010 **[Extend for the third year of funding the HIV Care and Related Services for Women and Minorities grant]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $745,125 from the Department of Health and Human Services, Office of Minority Health (DHHS, OMH) to provide the third year of funding for HIV Care and Related Services for Women and Minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

(Public Benefit Recipient.)

Resolution No. 44-04
ADOPTED

032013 **[Evaluating the non-name HIV reporting system in California]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into the second year of an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $10,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2003 to June 30, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 45-04
ADOPTED

032045 **[Contract funds to expand healthcare services to newly housed people with disabilities]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the San Francisco Community Clinic Consortium (SFCCC), the primary contractor, and accept and expend funds in the amount of $299,773 to expand healthcare services to newly housed people with disabilities; for the period of September 1, 2003 to August 31, 2004. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 48-04
ADOPTED

Recommendation of the Finance and Audits Committee

031871 **[Appropriate Zygmunt Arendt Fund for the Purchase and Renovation of Property Located at 850 Broderick Street]**
Mayor, Supervisor Sandoval

Ordinance appropriating $3,800,000 of Zygmunt Arendt funding for building purchase and renovation of property located at 850 Broderick Street. Detail includes $3,120,000 for purchasing and closing costs of the property and $680,000 for renovation and maintenance for the Department of Human Services for Fiscal Year 2003-04.

(Fiscal impact.)

Ordinance No. 17-04
FINALLY PASSED

Recommendations of the Rules Committee

031575 **[Appointment]**
Resolution appointing Manuel Jimenez, term ending January 1, 2005 to the Treasure Island Development Authority Citizens Advisory Board.

Manuel Jimenez, succeeding Amy Hutzel, resigned, seat 6, must have experience in any of the following areas: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island; for the unexpired portion of a four-year term ending January 1, 2005.

Resolution No. 42-04
ADOPTED

040041 **[Appointment]**
Resolution appointing Susan Stryker, and Philip Choy, terms expiring December 16, 2004, to the San Francisco Museum and Historical Society Advisory Committee.

Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.
Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for a one-year term ending December 16, 2004.

Resolution No. 49-04
ADOPTED

040042 **[Appointment]**
Resolution appointing Linda M. Yu Bien, term expiring January 15, 2007 to the San Francisco Health Authority.

Linda M. Yu Bien, succeeding Sophie Wong, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization for a 3 year term ending January 15, 2007.

Resolution No. 50-04
ADOPTED

040050 **[Appointment]**
Resolution appointing Jim Dorenkott, term ending March 31, 2005 to the Commission on Aging Advisory Council.

Jim Dorenkott, succeeding Roger Langford, term expired, seat 10, must be a nominee of District 5 Supervisor for the unexpired portion of a two year term ending March 31, 2005.

Resolution No. 51-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Consent Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

031989 **[Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

Amended on page 1, after "conveyance of" by inserting "fee title to"; and on page 2, by adding last paragraph "failure to comply with these notice requirements shall not invalidate conveyance of such property"
Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Services Committee

032014 **[Accept-Expend State Forgivable Loan]**
Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of $467,500 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to convert two floors of a building at 150 Otis Street in order to provide emergency homeless shelter services. (Human Services Department)

(Public Benefit Recipient.)

Resolution No. 46-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

032015 **[Accept-Expend State Forgivable Loan]**
Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a forgivable loan in the amount of $465,252 from the California Department of Housing and Community Development Emergency Housing and Assistance Program (EHAP) Capital Development to make major repairs to the Multi-Service Center South (695 Bryant Street) which provides homeless shelter services. (Human Services Department)

(Public Benefit Recipient.)

Resolution No. 47-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Land Use Committee

032012 **[Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]**

Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

040072 **[Hearing - Board Files 031770, 031771, and 031772]**

Hearing to consider legislation contained in Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill. (Clerk of the Board)

Larry Badiner, Acting Director reviewed with the Board the Planning Department's recommendations.
Union Capital Property Project Sponsor Representatives
Steve Atkinson, Attorney for Union Capital project Sponsor
Andrew Junius, Reuben & Alter representing Tishman Speyer Properties
Bob Pratt, project Sponsor
Abdullah Megaheed; support of project sponsor
Sherry McWilliams, Local 22; support of project sponsor
Alicia Page; support of project sponsor
Fred Hobson; support of project sponsor
William Smith; support of project sponsor
Jim Chappel, SPUR; support of project sponsor
Tishman Speyer Properties Representative; support of project sponsor
David Bailey, Local 22; support of project sponsor
Sal Cisneros, YMCA Representative; support of project sponsor
Sydney Shaw; opposed to project sponsor
Kevin Shannahan, District 6 resident,; support of project sponsor
Tom McDonagh; support of project sponsor
Union 22 Member; support of project sponsor
Pastor of True Hope Church; support of project sponsor
Reed Bement, Rincon Hill Residents Association; opposed to project sponsor
Judith Patterson; opposed to project sponsor
Jeffrey; public benefits from project, support of project sponsor
Ann Bement; opposed to project sponsor
Dora Wong; support of project sponsor
Marilyn Amini; opposed to project sponsor
Greg Patterson; opposed to project sponsor
Alexandra Chung; opposed to project sponsor
Andrew, Rincon Hill Residents Association; opposed to project sponsor
Terence Allen, District 6 resident; public benefits from project, support of project sponsor
Stan Warren, SF Building Trades Council; support of project sponsor
Jim Salinas, Carpenter's Union; support of project sponsor
Derek Smith, Construction; support of project sponsor
Michael Sweet; support of project sponsor
Jennifer; support of project sponsor, submitted 2 videos of supporters
Carl Shannon, Tishman Speyer Properties; project sponsor
Marty Goldman, project sponsor 300 Spear Street
Edwardo; pollution concerns with the project
Reverend Arnold Townsend; support of project sponsor

President declared public hearing portion of the meeting closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Called From the Land Use Committee

031770 **[General Plan Amendments]**

Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

031771 **[Zoning Map Amendment - Rincon Hill Area]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

031772 **[Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

031969 **[Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)

(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031970 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031971 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031972 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to February 10, 2004

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

040045 **[Public Hearing - Appeal, Conditional Use - 1160 Mission Street]**

Hearing of persons interested in or objecting to the decision of Planning Commission by its Motion No. 16693 dated December 4, 2003, approving Conditional Use Application No. 2002.0628CEKVX, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces in a C-3 District and for Residential-serving off-street in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and 150-S and 240-S Height and Bulk Districts, on property located at 1160 Mission Street, northwest side between Seventh and Eight Streets, with additional frontage on Stevenson Street; Lots 37, 38, and 56 in Assessor's Block 3702. (Filed by Dave Snyder on behalf of Transportation for a Livable City and subscribed by Supervisors Chris Daly, Matt Gonzalez, Tom Ammiano, Jake McGoldrick, and Gerardo Sandoval.)

(Appeal filed January 5, 2004; companion measure to Files 040046, 040047, 040048, 040049, District 6.)

Mr. Synder, Appellant and representative of the project sponsor reviewed with the Board the compromise agreements made with the project sponsor and the appellant.

Edward Evans, support of project with disability access
Bill Wong; support of project
Female speaker; support of project

The President declared the public hearing portion of the meeting closed.

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Hearing be HEARD AT PUBLIC HEARING. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

Supervisors Ammiano and Sandoval noted absent at 4:25 p.m.

Supervisor Ammiano noted present at 4:50 p.m.
Supervisor Sandoval noted present at 5:12 p.m.

040046 **[Appeal, Conditional Use - 1160 Mission Street]**

Motion approving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

040047 **[Appeal, Conditional Use - 1160 Mission Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16693, approving Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

Motion disapproving decision of the Planning Commission by its Motion No. 16693, which approved Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, and approving the issuance of Conditional Use Application 2002.0628CEKVX on property located at 1160 Mission Street, subject to all of the conditions imposed by the Planning Commission, and further subject to three additional conditions imposed by the Board of Supervisors on January 27, 2004. (Clerk of the Board)

Motion No. M04-15

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

040048 **[Findings - 1160 Mission Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0628CEKVX on property located at 1160 Mission Street, for action by the Board at its next meeting. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

040049 **[Environmental Review - 1160 Mission Street]**

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 1160 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 2 - Ammiano, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Al Rose; disability issues regarding lavatories at City Hall
Jack Doodson; DPH restaurant issues
Male Speaker; welcomed Supervisor Alioto-Pier
Edward Evans; Chair Mayor's Disability Council
Vernon Jenkins; general issues
Francisco DiCosta; PUC issues/water
Andrew Bozeman; welcomed Supervisor Alioto-Pier, invited her to assist with Bayview Hunter's Point issues
Male Speaker; recommendations for safety issues at City Hall
Jean Lynch, Community activist; welcomed Supervisor Alioto-Pier; support of project sponsor
Stan Warren,Trade Council; welcomed Supervisor Alioto-Pier, approving of Item 29 to hear the matter
Male Speaker; SF Citizens Concerns regarding pollution
Alicia Page; support approving of Item 29 to hear the matter
Jim Chappel, SPUR; support approving of Item 29 to hear the matter
Male Speaker; general issues
Sal Cisneros, YMCA Embarcadero; support approving of Item 29 to hear the matter
Reverend Arnold Townsend; support approving of Item 29 to hear the matter
Reed Bement, Rincon Hill Association; do not approve Item 29 to hear the matter request to refer to Land Use Committee
Marilyn Ammini; do not approve Item 29 to hear the matter refer matter to Land Use Committee
Douglas Arthur, Rincon Hill resident; do not approve Item 29 request to refer matter to Land Use Committee
Lawrence McCord; do not approve Item 29, request to refer matter to Land Use Committee
Ms. O'Malley; do not approve Item 29, request to refer matter to Land Use Committee
Building Trades Council; welcomed Supervisor Alioto-Pier and urged support approving of Item 29 to hear the matter
Male Speaker; do not approve Item 29, request to refer matter to Land Use Committee
Mr. Crowley; support approving of Item 29 to hear the matter
Labor Organization representative; support approving of Item 29 to hear the matter
Rincon Hill resident; do not approve Item 29, request to refer matter to Land Use Committee
Greg Foster, 300 Beale Street Organization; do not approve Item 29, request to refer matter to Land Use Committee
Andrew Brooks, Rincon Hill Residents Association, read a correspondence from the applellant's counsel
Female Speaker; do not approve Item 29, request to refer matter to Land Use Committee
Roger; opposed to project
Dick Millet; do not approve Item 29, request to refer matter to Land Use Committee
Tom McDonagh; approve Rincon Hill Project
George Brown, Cement Masons; support approving of Item 29 to hear the matter
Dave Figuoera, Union Business Representative; support approving of Item 29 to hear the matter
Fredick Hobson, District 6 Democratic Club; support approving of Item 29 to hear the matter
Michael Terio, Union Representative; approving of Item 29 to hear matter
Pastor of True Hope Church; approving of Item 29 to hear the matter
Leonard Ross, fellowship True Hope Church; approving of Item 29 to hear the matter
Joan Howard; do not approve Item 29, request to refer matter to Land Use Committee
Judith Patterson, Transbay and South Beach Advisory Committee; do not approve Item 29, request to refer matter to Land Use Committee
Heimi Ross, Chamber of Commerce; support approving of Item 29 to hear the matter
Kate White, Housing Coalition; to begin next process
Alexander Chung, do not approve Item 29, request to refer matter to Land Use Jim Salinas, Carpenter Union, welcomed Supervisor Alioto-Pier and supported approving of Item 29 to hear the matter

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040062 **[Honoring the contributions of the LGBT Community to the History and Culture of San Francisco]**
Supervisors Ammiano, Dufty, Peskin, Sandoval

Resolution honoring the contributions of the Lesbian, Gay, Bisexual and Transgender communities to the history and culture of San Francisco.

Supervisors Peskin and Sandoval requested to be added as co-sponsors.

Resolution No. 52-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040064 **[AIDS Drug Assistance Program]**
Supervisors Daly, Ammiano, Dufty

Resolution urging the Governor and Legislature to fully fund the California AIDS Drug Assistance Program (ADAP) and reject an enrollment cap.

Resolution No. 53-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040065 **[Commending Martha Knutzen]**
Supervisors Dufty, Ammiano, Ma, Maxwell

Resolution commending Martha Knutzen for distinguished public service on the San Francisco Human Rights Commission.

Resolution No. 54-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040066 **[Commending the Organization of Chinese Americans]**
Supervisors Ma, Dufty, Peskin

Resolution commending the Organization of Chinese Americans on their valuable contributions towards the issuance of a series of commemorative stamps based on the Chinese zodiac of the lunar New Year calendar.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 55-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040067 **[Commending Robert Morey]**
Supervisor Maxwell

Resolution commending Robert Morey for his dedication and exemplary service to the Visitacion Valley community and proclaiming January 24, 2004 as Robert Morey Day in San Francisco.

Resolution No. 56-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040068 **[Commending Community Works, Sheriff's Department and Visitacion Valley Middle School]**
Supervisor Maxwell

Resolution commending Community Works, Sheriff Department and Visitacion Valley Middle School for the creation and implementation of The ROOTS program.

Resolution No. 57-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040069 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).

Resolution No. 58-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040071 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-13
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040024 **[Final Map for a 28 Unit Live/Works Condominium Project]**
Motion approving Final Map of 1247 Harrison Street, A Live/Works Condominium Project, being a subdivision of Lot 72 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,620; District 6.)

Motion No. M04-8
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040025 **[Final Map for a 23 Unit Commercial/Residential Condominium Project]**

Motion approving Final Map of 1452 Bush Street, A Commercial/Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 667, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,621; District 3.)

Motion No. M04-9

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040026 **[Final Map for an 8 Unit Residential Condominium Project]**

Motion approving Final Map of 1009 Mission Street, A Residential Condominium Project, being a subdivision of Lot 153 in Assessor's Block No. 3726, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,622; District 6.)

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

040073 **[Committee of the Whole - 201 Folsom and 300 Spear Streets]**

Supervisor Ma

Motion approving the convening by the Board of Supervisors of a public hearing as a Committee of the Whole for Board Files 031770, 031771, and 031772, regarding General Plan Amendments, Zoning Map Amendments and Planning Code Text Amendments related to the 201 Folsom and 300 Spear Streets residential projects (and the developed lot at 345 Main Street), located in Rincon Hill, at the January 27, 2004 meeting of the Board of Supervisors.

Motion No. M04-14

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Dufty, Hall, Ma, Peskin, Sandoval
Noes: 4 - Ammiano, Gonzalez, Maxwell, McGoldrick

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

040057 **[State law change related to alcohol closing hours]**

Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

Supervisor Maxwell requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisors Daly and Hall requested that this matter be severed so that it could be considered separately.

040063 **[Renaming SBC Park playing grounds as "Mays Field"]**
Supervisors Daly, Gonzalez

Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.

Supervisor Daly requested that this matter be referred to Committee.
REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040092 **[Grading of food preparation and service establishments by Department of Public Health and posting of letter grade and inspection score cards at food preparation and service establishments]**
Supervisors Daly, Ammiano

Ordinance amending the San Francisco Health Code by adding a new section 456 et seq. to establish letter grading system by Department of Public Health for inspection of food preparation and service establishments, requiring posting of letter grade and inspection score cards by food preparation and service establishments, and providing penalties for lack of compliance.
1/27/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 2/26/2004. Refer to Small Business Commission.

040099 **[Dept. of Administrative Services to provide services to public entities]**
Supervisor Dufty

Ordinance authorizing the Department of Administrative Services to enter into written agreements with other public entities to provide the public entities with publishing, copying, printing and/or mail services, and ratifying and approving any actions heretofore taken by the Department of Administrative Services to provide such services to public entities.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040100 **[Process for Sale of Real Property]**
Supervisor Peskin

Ordinance authorizing the Public Utilities Commission to solicit proposals and bids for the sale of certain real properties with development potential that are not needed for utility purposes, subject to the review and approval by the Board of Supervisors, by resolution, of any final sale of such properties.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040101 **[Interest on Residential Rental Security Deposits: interest calculated according to 6-Month Certificate of Deposit rate published on Federal Reserve Statistical Release internet site]**
Supervisor Peskin

Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," at Section 49.2 "Payment of Interest on Security Deposits," to provide that the required interest on security deposits be calculated according to the 6-Month Certificate of Deposit rate as posted by the Federal Reserve on the Federal Reserve Statistical Release internet site (instead of on the basis of the Federal Reserve's singular Federal Discount Rate, which has been discontinued).
1/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

040102 **[Amending fees County Clerk may charge for Declarations of Domestic Partnership and Amendments to such Declarations; adding fee for souvenir marriage certificates]**
Supervisor Peskin

Ordinance amending Administrative Code Sections 8.33.1, 62.8 and 62.9 to provide that the County Clerk may impose a $40 filing fee for all Declarations of Domestic Partnership and all Amendments to a Declaration of Domestic Partnership, and to provide for annual adjustment of those fees and of the fees for domestic partnership ceremonies to reflect changes in the Consumer Price Index; and amending Administrative Code Section 8.33.1 to provide that the County Clerk may charge $5 for ceremonial souvenir marriage certificates.
1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

031501 **[Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]**
Supervisors Gonzalez, Daly, Ammiano

Ordinance to amend the Planning Code by adding section 703.3 and by amending section 182, and section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/26/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/25/2003.

8/29/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

12/9/03, ASSIGNED to Land Use Committee.

12/9/03, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

12/11/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

12/26/03, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental Review, dated December 23, 2003.

1/26/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

1/27/04, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

1/27/04, ASSIGNED to Land Use Committee. Refer to Small Business Commission.

Resolutions

040057 **[State law change related to alcohol closing hours]**
Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

1/14/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 1/27/04 - Received response from the S.F. Youth Commission.

1/27/04, REFERRED to City Services Committee. Supervisor Maxwell requested that this matter be referred to Committee.

040063 **[Renaming SBC Park playing grounds as "Mays Field"]**
Supervisors Daly, Gonzalez

Resolution urging the San Francisco Giants Baseball Club and SBC Communications, Inc. to rename the team's playing grounds "Mays Field at SBC Park" in honor of America's greatest living ballplayer, Willie Mays.
1/13/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/27/04, REFERRED to Rules Committee. Supervisor Daly requested that this matter be referred to Committee.

040089 **[Board of Supervisors - Meeting Schedule]**
Supervisor Gonzalez

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, and the December 28, 2004 meetings and by canceling all Board and Committee meetings from August 18 through September 6, 2004.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040091 **[Lease of Real Property - 1315 and 1319 Evans Avenue]**
Supervisor Maxwell

Resolution authorizing a lease of approximately 1,128 square feet of space at 1315 and 1319 Evans Avenue for the Department of Child Support Services for a term of five years.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040096 **[San Francisco City Employees' Retirement System Annual Report]**
Supervisors Sandoval, Dufty

Resolution approving the printing of not more than 100 hard copies of the San Francisco City Employees' Retirement System Annual Report on an annual basis as well as posting it on the web.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040103 **[Grant Application - Dept. of the Environment Grant]**
Supervisors Dufty, Gonzalez

Resolution authorizing the Department of the Environment to apply for a grant in the amount of $261,961 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.
1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

040104 **[Power Plant Task Force]**
Supervisor Maxwell

Resolution modifying the Potrero Power Plant Citizens Advisory Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.
1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

040110 **[AIDS Quilt]**
Supervisors Ammiano, Dufty

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco and urging the Department of Real Estate to identify City-owned property that may be suitable to house the Quilt.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040111 **[Recognizing Nora Castañeda, President of the Women's Development Bank in Venezuela]**
Supervisor Ammiano

Resolution recognizing the central role of Nora Castañeda, President of the Women's Development Bank of Venezuela (Banmujer).
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040112 **[2004 Prevent Childhood Exposure to Violence Month]**
Supervisors Ammiano, Dufty

Resolution ratifying that the Board of Supervisors declares the month of February 2004 as "Prevent Childhood Exposure to Violence Month" in the City and County of San Francisco.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. February 3, 2004 - Response received from Youth Commission.

040113 **[Urging Comcast to advertise in support of medical marijuana]**
Supervisors Ammiano, Dufty

Resolution urging Comcast to accept political advertising in support of medical marijuana.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040114 **[Urging the Governor to consider postponing further Central Freeway touchdown ramp construction]**
Supervisor Dufty

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040115 **[San Francisco Chinese American Veterans Recognition Day]**
Supervisors Ma, Dufty, Sandoval, Peskin, McGoldrick, Hall

Resolution declaring February 16, 2004 to be "San Francisco Chinese American Veterans Recognition Day".
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040116 **[Lenard D. Louie Day]**
Supervisors Ma, Dufty, Peskin, McGoldrick, Hall, Gonzalez

Resolution recognizing Lenard D. Louie's contributions to the community and declaring January 28, 2004 to be "Lenard D. Louie Day" in San Francisco.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040118 **[Lunar New Year 2004]**
Supervisors Ma, Dufty, Sandoval, McGoldrick, Hall

Resolution celebrating the Lunar New Year and proclaiming January 22, 2004, the first day of the Year of the Monkey.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040121 **[Hospital and Nursing Home Discharge Planning Task Force]**
Supervisors Ma, Dufty

Resolution adopting the findings in the Hospital and Nursing Home Discharge Planning Task Force's Final Report as submitted.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040122 **[Commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts]**
Supervisors Maxwell, Dufty, Ma, McGoldrick

Resolution commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts to increase the claiming of EITC, Child Tax Credit and other state and federal tax credits through free tax preparation assistance, as well as to link low-income families to financial education, asset development and other benefit programs
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040123 **[Black History Month - February]**
Supervisors Maxwell, Dufty, Ma, Sandoval, McGoldrick, Hall

Resolution recognizing the month of February as Black History Month.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040124 **[Dear Diva]**
Supervisors Peskin, Ammiano, Dufty, McGoldrick

Resolution bestowing the title of San Francisco Emissary to AIDS Orphans to Dear Diva and recognizing her past, present and future work on behalf of those orphaned by AIDS worldwide.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040054 **[Redevelopment of San Francisco Airport Plot 9]**
Supervisor McGoldrick

Resolution urging San Francisco Airport Commission to undertake a comparative financial analysis of the costs and benefits of the Airport redeveloping Plot 9 using its own financing versus redevelopment by an outside developer under a Lease Disposition and Development Agreement and Lease of Plot 9; further urging the Commission to present its comparative financial analysis to the Finance Committee of the Board of Supervisors; and further urging the commission to undertake a new Request for Qualifications/Proposals process for redevelopment of Plot 9 that will assure City residents that the selection process truly serves the best financial interests of the Airport and of the City.
1/13/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.
1/27/04, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.
1/27/04, ASSIGNED to Finance and Audits Committee.

Requests for Hearing

040090 **[Brooks Park Project]**
Supervisor Sandoval

Hearing to receive and consider a report from the Recreation and Park Department on the participation of SLUG and the Brooks Park Project.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040097 **[Hospital/nursing home discharge planning in the City and County of San Francisco]**
Supervisors Ma, Dufty

Hearing to develop a plan of implementation to improve discharge planning in the City and County of San Francisco based upon the recommendations in the Hospital and Nursing Home Discharge Planning Task Force's Final Report.

(Key departments including, but not limited to, Department of Aging and Adult Services, Department of Human Services and Department of Public Health in consultation with the Hospital and Nursing Home Discharge Planning Task Force, San Francisco Hospital Council and Healthcare action Team should be in attendance at this hearing to discuss an implementation plan.)
1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

040098 **[S.F. Employee Retirement System Investment Funds]**
Supervisor McGoldrick

Hearing to inquire into the possibility that the City and County of San Francisco or the San Francisco Employee Retirement System invests funds in companies that are doing business with countries that sponsor or have sponsored terrorism, and to inquire into the potential risks caused to funds by such investments.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040105 **[Health Insurance Rates in the Bay Area.]**
Supervisor Ammiano

Hearing to consider rising health insurance rates in the Bay Area.
1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

040106 **[Police Commissioners Selection Process]**
Supervisor Ammiano

Hearing to review the selection process for San Francisco Police Commissioners.
1/27/04, RECEIVED AND ASSIGNED to Rules Committee.

040107 **[Safeway Stores Labor Dispute]**
Supervisors Ammiano, Daly

Hearing to consider the labor dispute at Safeway stores regarding health insurance for employees.
1/27/04, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests an evening hearing for this item.

040108 **[CalWORKS]**
Supervisors Maxwell, Daly

Hearing on the City's programs for residents timing out from CalWORKS, including those residents who speak English as a second language.
1/27/04, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the February 26, 2004 meeting.

040109 **[Recreation and Park Department Report on SLUG]**
Supervisor Sandoval

Hearing for the Recreation and Park Department to report on the participation of the San Francisco League of Urban Gardeners (SLUG) in all capital projects. Included in the report is a request for a review of all project finances, time lines, including start dates and completion dates of all projects and an analysis of any alternatives to the participation of SLUG in any and all present and future projects with the Recreation and Park Department.
1/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

040087 **[2003-2004 Fiscal Year Budget for Board of Supervisors/Clerk of the Board - 7.5% Contingency Reduction]**
Motion approving a proposed 7.5% contingency plan for reducing the 2003-2004 fiscal year budget for the Board of Supervisors/Clerk of the Board, and directing that the contingency plan be filed with the Mayor. (Clerk of the Board)
1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

040088 **[2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board]**
Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board, and directing that it be filed with the Mayor. (Clerk of the Board)
1/27/04, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

040015 **[Lease of Real Property - 70 Oak Grove Street]**
Supervisors Sandoval, Peskin, McGoldrick

Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs. (Real Estate Department)
1/12/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040017 **[Accept-Expend State Grant]**
Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $413,323 from the California Governor's Office of Emergency Services for emergency response equipment.
1/12/04, RECEIVED AND ASSIGNED to City Services Committee.

040019 **[Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]**
Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of $10 per year, and a one-time administrative fee of $500 per lease, for a total cost of $750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Municipal Transportation Agency)
1/14/04, RECEIVED AND ASSIGNED to Land Use Committee.

040020 **[Airport Concession Lease]**
Resolution approving Amendment No. 4 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
1/15/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040023 **[Public Auction of tax-defaulted real property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)
1/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor McGoldrick
To: Director, Employees' Retirement System
To: Treasurer
To: City Attorney
To: Controller
Requesting/Inquiring: Inquiring if any investments of City funds or employee retirement funds are in companies that are doing business with countries that sponsor or have sponsored terrorism. (See Attachment)

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of installing a four-way stop sign at the intersection of Ocean and Otsego. There are two high schools, a middle school and a primary school within one block of this intersection.
Please send a copy of this request to: Carmen Escobar, 240 Ocean Avenue #5, San Francisco 94112

From: Supervisor Gonzalez
To: Chief, Police Department
Requesting/Inquiring: To inform the Board of Supervisors in writing on several issues related to the implementation of the Aggressive Solicitation Ban, a proposition approved by voters on November 4, 2003: 1) the number of aggressive solicitation citations issued since the law went into effect, 2) the number of individuals who have paid a fine associated with a citation, 3) the number of individuals who have been screened for drug ad alcohol treatment and mental health services and the number of these who have been referred to a public health diversion program for treatment, 4) the number of individuals imprisoned or required to perform community service as a result of having violated the law three or more times, and 5) the Department's activities, including administrative changes and personnel training, related to the implementation of the law.

From: Supervisor Ammiano
To: Controller
Requesting/Inquiring: Requesting an analysis and recommendations for two potential revenue sources that should be further analyzed by the Revenue Enhancement Working Group that is currently being led by Supervisor Ma. (See Attachment)

From Supervisor Daly
To: Department of Public Health
Requesting/Inquiring: To report on the department's efforts to address the impact of violent incidences such as the recent killing of Scharod Fleming on secondary victims such as witnesses, family members, friends and classmates.

From: Supervisor Daly
To: Police Department
Requesting/Inquiring: To report on the progress of police investigations related to the murder of Scharod Fleming.

In Memoriams

Scharod Fleming (Entire Board)
Jesse Valencia (Entire Board)
Cala Blanche Curbo (Supervisor Ammiano)
Edgar Mitchell (Supervisor Dufty)
Thomas Canepa (Supervisor Hall)
James O'Reilly (Supervisor Hall)
Joan Kingrey (Supervisor Hall)
Rumiko Imaizumi Nakamura (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 8:07 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 24, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

AUG - 6 2004

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 3, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:09 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved to approve January 13, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

CONSENT AGENDA

Recommendations of the Finance and Audits Committee

031698 **[Approval of the Amended Ground Lease for the Rincon Park Restaurants Project]**
Supervisor McGoldrick

Resolution approving the Amended Ground Lease between the Port Commission and JMA Waterfront Properties, LLC, a Delaware limited liability company, for the Rincon Park Restaurants Project, located on The Embarcadero between Howard and Folsom Streets, for a total term, including renewal options, of sixty years. (Port)

(Public Benefit Recipient.)

Resolution No. 64-04
ADOPTED

031827 **[Airport Concession Lease]**
Supervisor McGoldrick

Resolution approving Amendment No. 2 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(No Public Benefit Recipient.)

Resolution No. 65-04
ADOPTED

Recommendations of the Land Use Committee

032012 **[Summary Vacation of a Retaining Wall, Sewer and Utility Easement Within Assessor's Block 2763, Lot 023 - 3750 Market Street]**

Ordinance ordering the summary vacation of a retaining wall, sewer and utility easement located within Assessor's Block 2763, Lot 023, on land commonly known as 3750 Market Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated easement area to the fee owner of Assessor's Block 2763, Lot 023; and ratifying and authorizing actions in furtherance of the ordinance. (Real Estate Department)

(Public Benefit Recipient.)

Ordinance No. 21-04
FINALLY PASSED

032008 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Octavia Boulevard, both sides, between Hayes and Market Streets;
Fell Street, north side, between Frontage Road and Octavia Boulevard;
Octavia Frontage Road, east side, from Market Street to 140 feet northerly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Rose Street, north side, from Octavia Frontage Road to 30 feet easterly;
Octavia Frontage Road, east side, from Haight Street to 40 feet northerly;
Octavia Frontage Road, east side, from Page Street to 40 feet northerly;
Octavia Frontage Road, east side, from Oak Street to 40 feet northerly;
Octavia Frontage Road, west side, from Fell Street to 24 feet southerly;
Octavia Frontage Road, west side, from Oak Street to 40 feet southerly;
Lily Street, south side, from Octavia Frontage Road to 26 feet westerly;
Octavia Frontage Road, west side, from Haight Street to 60 feet southerly;
Oak Street, both sides, from Gough Street to 22 feet easterly; and
Oak Street, both sides, from 98 feet west of Franklin Street to 149 feet westerly.

BLUE ZONE - REVOKE
Oak Street, south side, from Gough Street to 28 feet easterly.

BLUE ZONE - ESTABLISH
Gough Street, west side, from Oak Street to 26 feet southerly.

TOW-AWAY, NO STOPPING, 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Oak Street, south side, from Octavia Boulevard to 150 feet westerly.

TOW-AWAY, NO STOPPING, 7:00 AM - 9:00 AM, MONDAY THROUGH FRIDAY - REVOKE
Oak Street, north side, from Octavia Street to Laguna Street. (Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Resolution No. 70-04
ADOPTED

032050 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Oakdale Avenue, both directions, from Phelps Street to 180 feet west of 3rd Street and from 3rd Street to 80 feet easterly.

RIGHT TURN ONLY - RESCIND
21st Street, eastbound and westbound, at Guerrero Street.

NO LEFT TURN EXCEPT MUNI AND TAXIS FROM 3 PM TO 7 PM (SIX-MONTH TRIAL) - ESTABLISH
Northbound Potrero Avenue to westbound 24th Street; and
Eastbound 24th Street to northbound Potrero Avenue.

STREET CLOSURE, 10 AM to 3 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Leidesdorff Alley, between Halleck and Sacramento Streets.

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - ESTABLISH
Arago Street, between Havelock and Paulding Streets. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

Resolution No. 74-04
ADOPTED

031994 **[Installation of 4-way stop sign Chestnut and Powell Streets]**
Supervisor Peskin

Resolution urging the installation of four-way Stop signs at the intersection of Chestnut and Powell Streets.

Resolution No. 67-04
ADOPTED

031995 **[Four-way stop at intersection of Greenwich and Powell Streets]**
Supervisor Peskin

Resolution designating Greenwich and Powell intersection as a four-way STOP intersection.

Resolution No. 68-04
ADOPTED

032048 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Dartmouth and Silliman Streets, facing Dartmouth Street, making this intersection an all-way STOP;
Burrows and Hamilton Streets, facing Hamilton Street, making this intersection an all-way STOP; and
Mullen and Peralta Avenues, stopping Peralta Avenue at Mullen Avenue, making this uncontrolled intersection a two-way STOP. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

Resolution No. 72-04
ADOPTED

040003 **[STOP Intersections - Various Streets]**
Supervisor McGoldrick

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lincoln Way, Martin Luther King Jr. Drive, and La Playa Street, stopping Lincoln Way, making this intersection an All-Way STOP.
Great Highway and John F. Kennedy Drive, stopping The Great Highway, making this intersection and All-Way STOP.
Fulton and La Playa Streets, stopping Fulton Street, making this intersection an All-Way STOP.
47th Avenue and Fulton Street, stopping Fulton Street, making this intersection an All-Way STOP.

Resolution No. 75-04
ADOPTED

032049 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Lucky Street, west side, from the north property line to the south property line of 2843 Folsom Street (a 25-foot zone across from 39 Lucky Street); and
Dolores Street, west side, from 28th Street to eight feet northerly.

NO PARKING ANYTIME - RESCIND
Ellsworth Street, west side, from the south property line of 760 Ellsworth Street to the south property line of 764 Ellsworth Street, north of Alemany Boulevard (50 feet).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Castro Street, both sides, between 23rd and Elizabeth Streets (1100 block); and
Elizabeth Street, both sides, between Castro and Noe Streets. (500 block).

ANGLE PARKING (45-DEGREE) - ESTABLISH
Oakdale Avenue, north side, from 140 feet east of 3rd Street (near Mendell Street) to Lane Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Mendell Street, both sides, between Oakdale and Palou Avenues;
Rivera Street, on the eastern terminus, from the southeast corner to a point 24 feet northerly; and
Rivera Street, south side, from the terminus to a point 10 feet westerly.
Greenwich Street, east of Hyde Street, from the north curb line to 13 feet southerly and from 39 feet to the south curb line, along the terminus wall.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Brannan Street to 40 feet southerly;
Oakdale Avenue, both sides, from 3rd Street to 16 feet east of Mendell Street;
Washington Street, south side, from Leavenworth Street to 10 feet westerly (replaces seven-foot red zone);
Market Street, east side, from Corbett Avenue and Portola Drive crosswalk to 550 feet northerly; and
Portola Drive, east side, from Corbett Avenue and Market Street crosswalk to 385 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 27th and Duncan Streets (portion of the 1500 block).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" AND "C" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Broadway, north side, from 13 to 240 feet east of Hyde Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hill Street, north side, between Guerrero and Valencia Streets, in front of 16 Hill Street (accommodates five unmetered motorcycle spaces);
Greenwich Street, east of Hyde Street, from 35.5 feet to 39 feet south of the north curb line, along the terminus wall, for one space;
Steiner Street, east side, between the driveways of 1000 and 1006 Steiner Street (accommodating six to seven motorcycle parking stalls);
Dolores Street, west side, from 8 feet to 22 feet north of 28th Street (accommodates four unmetered motorcycle parking spaces);
Waller Street, between the driveways of 231 and 235 Waller Street (accommodates two motorcycle parking spaces);
Frederick Street, adjacent to the triangular island east of Arguello Boulevard, on the north side of the island,

from the east end to 14 feet westerly (accommodates four unmetered motorcycle stalls), and on the south side of the island, from the east end to eight feet westerly (accommodates two unmetered motorcycle stalls).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Cesar Chavez Street, north side, from Castro Street to 400 feet easterly;
Gaven Street, north side, from west curb line of Bowdoin Street to west edge of driveway at 394 Gaven Street (80-foot zone);
Lyon Street east side, between Golden Gate Avenue and Turk Street;
Cole Street, west side, from Carmel Street to 195 feet southerly;
Greenwich Street, east of Hyde Street, from 13 feet to 39 feet south of the north curb line, along the terminus wall;
Jones Street, west side, from California Street to Pine Street;
4th Avenue, east side, between Irving Street and Parnassus Avenue;
5th Avenue, east side, between Irving Street and Parrnassus Avenue;
Taylor Street, west side, between California and Pine Streets;
Mason Street, east side, between Bush and California Streets;
Dartmouth Street, west side, from Dwight Street to a point 45 feet north of Mansell Street;
Hamilton Street, west side, between Dwight and Woolsey Streets;
Barneveld Avenue, east side, from Gaven Street to Silver Avenue;
18th Street, south side, between Arkansas and Connecticut Streets;
23rd Street, south side, between Indiana and Minnesota Streets;
De Haro Street, east side, between 19th Street and Southern Heights Avenue;
De Haro Street, east side, between 22nd and 23rd Streets;
Minnesota Street, east side, between 22nd Street and terminus south of 22nd Street;
Missouri Street, west side, from 0 to 200 feet north of 17th Street;
San Bruno Avenue, east side, between 16th and 17th Streets;
Tennessee Street, east side, between 20th and 22nd Streets;
Tennessee Street, both sides, from 0 to 170 feet south of 22nd Street; and
San Bruno Avenue, both sides, from 18th to 20th Streets. (Parking and Traffic Department)

(12/12/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPW Order No. 2735; No Public Benefit Recipient.)

Resolution No. 73-04
ADOPTED

Recommendations of the Rules Committee

040036 **[Settlement of Claim - North Coast County Water District]**
Resolution approving the settlement of the unlitigated claim filed by North Coast County Water District against San Francisco for $86,247.48; claim was filed on August 29, 2003.

Resolution No. 76-04
ADOPTED

040043 **[Appointment]**

Resolution appointing Dr. George Kozitza, term ending June 5, 2005 to the Treasury Oversight Committee. Residency requirement waived.

Dr. George Kozitza, (residency requirement waived) succeeding Sarah Hart, resigned, seat 3, must represent the Superintendent of Schools; be nominated by the San Francisco Treasurer and be confirmed by the Board of Supervisors for the unexpired portion of a four year term ending June 5, 2005

Resolution No. 77-04
ADOPTED

040084 **[Appointment]**

Resolution appointing My Do, term ending April 22, 2004 to the Biosciences Task Force.

My Do, new position, seat 9, must represent a neighborhood organization in the Mission, for the unexpired portion of a term ending April 22, 2004.

Resolution No. 78-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

Severed from Consent Agenda

Supervisor Daly requested that this matter be severed so that it could be considered separately.

032007 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO TURNS - ESTABLISH
Octavia Frontage Road, northbound, at Haight Street;
Octavia Frontage Road, northbound, at Fell Street; and
Octavia Frontage Road, southbound, at Oak Street.

NO LEFT TURNS - ESTABLISH
Octavia Boulevard, southbound, at Market Street;
Freeway off-ramp, (Octavia Boulevard) northbound, at Market Street;
Octavia Boulevard, northbound and southbound, at Haight Street;
Octavia Boulevard, northbound and southbound, at Page Street;
Octavia Boulevard, northbound and southbound, at Oak Street;
Octavia Frontage Road, southbound, at Haight Street;
Octavia Frontage Road, northbound and southbound, at Page Street;
Octavia Frontage Road, northbound and southbound, at Oak Street; and
Octavia Frontage Road, northbound and southbound, at Fell Street.

MULTIPLE LEFT TURN LANES - ESTABLISH
Octavia Boulevard, northbound, at Fell Street.

MULTIPLE RIGHT TURN LANES - ESTABLISH
Oak Street, eastbound, at Octavia Boulevard.

RIGHT TURN ONLY - ESTABLISH
Octavia Frontage Road, southbound, at Market Street;
Waller Street, eastbound, at Market Street; and
Octavia Frontage Road, southbound, at Fell Street.

NO TURN ON RED - ESTABLISH
Haight Street, eastbound and westbound, at Octavia Boulevard;
Page Street, eastbound and westbound, at Octavia Boulevard;
Market Street, Octavia Boulevard, Freeway Intersection, all approaches; and
Oak Street, eastbound, at Octavia Boulevard.

ONE-WAY STREET - ESTABLISH
East Octavia Frontage Road, northbound, between Hayes and Market Streets;
West Octavia Frontage Road, southbound, between Hayes and Market Streets;
Lily Street, westbound, between Laguna Street and Octavia Boulevard (reverses direction);
Rose Street, eastbound, between Gough Street and Octavia Boulevard (reverses direction);
Elgin Park, southbound, between Duboce Avenue and McCoppin Street; and
McCoppin Street, eastbound, between Elgin Park and Market Street.

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Eastbound Oak Street at Laguna Street.

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Supervisor McGoldrick, seconded by Supervisor Ammiano, to divide the question regarding No Left Turn - Establish on Octavia Frontage Road, northbound and southbound, at Page street;
Right Turn Only - Establish on Octavia Frontage road, southbound, at Fell Street. (See File No. 040178)
DIVIDED.

Resolution enacting and rescinding traffic regulations on various streets.

NO TURNS - ESTABLISH
Octavia Frontage Road, northbound, at Haight Street;
Octavia Frontage Road, northbound, at Fell Street; and
Octavia Frontage Road, southbound, at Oak Street.

NO LEFT TURNS - ESTABLISH
Octavia Boulevard, southbound, at Market Street;
Freeway off-ramp, (Octavia Boulevard) northbound, at Market Street;
Octavia Boulevard, northbound and southbound, at Haight Street;
Octavia Boulevard, northbound and southbound, at Page Street;
Octavia Boulevard, northbound and southbound, at Oak Street;
Octavia Frontage Road, southbound, at Haight Street;
Octavia Frontage Road, northbound and southbound, at Oak Street; and
Octavia Frontage Road, northbound and southbound, at Fell Street.

MULTIPLE LEFT TURN LANES - ESTABLISH
Octavia Boulevard, northbound, at Fell Street.

MULTIPLE RIGHT TURN LANES - ESTABLISH
Oak Street, eastbound, at Octavia Boulevard.

RIGHT TURN ONLY - ESTABLISH
Octavia Frontage Road, southbound, at Market Street;
Waller Street, eastbound, at Market Street; and

NO TURN ON RED - ESTABLISH
Haight Street, eastbound and westbound, at Octavia Boulevard;
Page Street, eastbound and westbound, at Octavia Boulevard;
Market Street, Octavia Boulevard, Freeway Intersection, all approaches; and
Oak Street, eastbound, at Octavia Boulevard.

ONE-WAY STREET - ESTABLISH
East Octavia Frontage Road, northbound, between Hayes and Market Streets;
West Octavia Frontage Road, southbound, between Hayes and Market Streets;
Lily Street, westbound, between Laguna Street and Octavia Boulevard (reverses direction);
Rose Street, eastbound, between Gough Street and Octavia Boulevard (reverses direction);
Elgin Park, southbound, between Duboce Avenue and McCoppin Street; and
McCoppin Street, eastbound, between Elgin Park and Market Street.

TOW-AWAY LANE MUST TURN LEFT - ESTABLISH
Eastbound Oak Street at Laguna Street.

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Resolution No. 69-04

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040178 **[Traffic Regulations]**

Resolution enacting traffic regulations on Octavia Frontage Road.

NO LEFT TURNS - ESTABLISH
Octavia Frontage Road, northbound and southbound, at Page Street.

RIGHT TURN ONLY - ESTABLISH
Octavia Frontage Road, southbound, at Fell Street. (Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Divided from File No. 032007

REFERRED to the Land Use Committee.

REGULAR AGENDA

UNFINISHED BUSINESS

Called from the Land Use Committee

031770 **[General Plan Amendments]**

Ordinance amending the Rincon Hill Area Plan of the San Francisco General Plan to make the Area Plan consistent with a new Residential/Commercial Subdistrict within the Area Plan, to amend objectives related to parking, tower separation and open space requirements, to encourage additional height within the district that would allow greater residential density, and to amend various maps within the Area Plan to reflect the new subdistrict and the new height and bulk controls and new midblock pedestrian passage way configuration, and to allow the replacement of parking currently used by Federal agencies that are located on a development site within the new subdistrict; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

Ordinance No. 18-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

031771 **[Zoning Map Amendment - Rincon Hill Area]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings. (Planning Department)

(No Public Benefit Recipient.)

Ordinance No. 19-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

031772 **[Establishing a "Residential/Commercial Subdistrict" in the Rincon Hill area]**

Ordinance amending the San Francisco Planning Code by amending Section 249.1(a) to reference "Residential/Commercial Subdistrict," add Section 249.1(b)(8) to create the "Residential/Commercial Subdistrict" generally encompassing most of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excepting the southern portion of Block 3746 and Lot 9 of Block 3745), and to add Section 249.1(e) to create special use, density, open space, parking, street frontage, site coverage, dwelling unit exposure, height, bulk standards, and tower separation standards, for the "Residential/Commercial Subdistrict"; adopting findings. (Planning Department)

(No Public Benefit Recipient.)

Ordinance No. 20-04

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Ammiano

NEW BUSINESS

Recommendations of the Finance and Audits Committee

031985 **[Appropriate funding for the Laguna Honda Hospital Replacement Program]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty

Ordinance appropriating $189,427,586 of General Obligation Bond proceeds, $1,046,158 in bond interest, $15,992,796 in tobacco settlement revenues, and $5,072,941 of interest earnings on tobacco settlement revenue for a total of $211,539,481 to fund the Laguna Honda Replacement Program for the Public Health Department for fiscal year 2003-04.

(Fiscal impact.)

Supervisor Dufty requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031986 **[Laguna Honda Hospital General Obligation Bond Issuance]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty

Ordinance providing for the issuance of not to exceed $299,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); providing that such bonds may be issued as fixed or variable interest rate obligations; providing for the levy of a tax to pay the principal and interest of said bonds and authorizing payment of bonds from other legally available funds of the City; authorizing the execution of a Master Trust Agreement and Declaration of Trust which provide for the terms of said bonds; providing for the appointment of depositories and other agents of said bonds; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Supervisor Dufty requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031987 **[Laguna Honda Hospital General Obligation Bond Sale]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty

Resolution authorizing and directing the sale of an issue of not to exceed $230,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; providing that such Bonds may be sold pursuant to a competitive or negotiated sale and as fixed or variable interest rate obligations; authorizing the City's compliance with a Continuing Disclosure Certificate; approving the form and execution of an Auction Agreement, a Broker-Dealer Agreement, a Market Agent Agreement, a Bond Purchase Contract, a Remarketing Agreement, a Standby Purchase Agreement and an Official Statement; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal impact.)

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 66-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031990 **[Business Tax]**
Supervisors Ma, McGoldrick

Ordinance amending the Business and Tax Regulations Code to: (1) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) conform Article 12-A (Payroll Expense Tax Ordinance) with the amendments to Article 6 (Common Administrative Provisions) and (ii) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); and (3) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review. (Treasurer-Tax Collector)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031598 **[First Amendment to Lease of SFPUC Property for Operation of a Public Golf Course and Related Facilities]**
Supervisor McGoldrick

Resolution authorizing a First Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., in San Mateo County. (Public Utilities Commission)

(Fiscal impact; Public Benefit Recipient.)

Resolution No. 63-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

032011 **[BART Payment for MUNI Transfer Trips]**

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2003-2004. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 71-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

032028 **[Lease of Real Property - 10 United Nations Plaza]**

Supervisors Maxwell, McGoldrick

Resolution authorizing a lease of approximately 8,105 square feet of space at 10 United Nations Plaza for the Department of Child Support Services for a term of six years.

(Public Benefit Recipient.)

Resolution No. 59-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Land Use Committee

031880 **[Amending Fire Code to require self-contained breathing replenishment systems in high rise building]**

Supervisors Dufty, Daly, Hall, Peskin, Ma

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after June 30, 2004.

Supervisor Dufty, seconded by Supervisor Hall, moved to amend on page 1, line 5, by replacing "June 30, 2004" with "March 30, 2004." New Title

Supervisor Dufty, seconded by Supervisor Hall, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after March 30, 2004.

Supervisors Hall, Peskin and Ma requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

032052 **[Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]**

Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions. (Taxi Commission)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendation of the Rules Committee

031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisors Daly, Ammiano

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

Supervisor Ammiano requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Ma, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Privilege of the Floor

Supervisor Ma introduced and welcomed Meng Deng, a student from Presidio Middle School and winner of the Independent Living Resource Center poster contest.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Ernestine Weiss; Golden Gateway and Park Merced rentals to corporations
Vernon Jenkins, general issues
Leon Shy; Youth Commission, entertainment issues
Paula Thomas; general issues
Linda Jofuka; support of Item 37
Francisco Di Costa; Public Comment 3 minutes
John Roosevelt; Day Labor Program
Jim Reed, building contractor, housing issues in SF
Male Speaker; issues regarding recent Mayor's election
Dr. Eddy Albine; African American Veteran Post; support of Item 38
Chinese American Veteran; support of Item 38
Kenneth McGillian; Central Freeway, support Item 37
Female Speaker; Central Freeway, support Item 37
Female Speaker; Central Freeway, support Item 37
Female Speaker; Central Freeway support Item 37
Female Speaker; Central Freeway, support Item 37
Male Speaker; Central Freeway, support Item 37
Paul McGowan; issues regarding SFGH and death of a male
Caymus Jones; South Beach resident program, homeless shelters
Male Speaker; Central Freeway, support Item 37
John Newman; Central Freeway, support Item 37
Female Speaker; Central Freeway, support Item 37
Pedro Gonzalez; Central Freeway, support Item 37
Jason Borne; Central Freeway, support Item 37
Alvin Jones, Bay View Hunters Point; homeless issues
Alicia Duke, Planning for the Elderly; review discharge planning task force, Item 41
Eleanor Worthy; PCC, support Discharge Planning task force report, Item 41
Bruce Allison; support Discharge Planning task force report, Item 41
Allen Beets; Central Freeway, support Item 37
Penny Mitchell, Co- Chair of Discharge Planning task force, support Item 41
Ron Smith, Hospital Council; support Discharge Planning task force report, support Item 41
Ace Washington, Community Activist, Western Addition; African Black History Month request a letter for Channel 29
Amanda Cotton; Bookstore owner; freeway issues support Item 37
Member of Discharge Planning Task Force, Item 41
Female Speaker; decision making process to take into consideration culture heritage
Co-Chair Discharge Planning Task Force, Item 41
Alicia; Retail owner in Hayes Valley; Central Freeway, support Item 37
Female Speaker; Central Freeway issues, support Item 37
Male Speaker; pollution issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisor Maxwell noted absent at 4:30 p.m.

040089 **[Board of Supervisors - Meeting Schedule]**
Supervisor Gonzalez

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, and the December 28, 2004 meetings and by canceling all Board and Committee meetings from August 18 through September 6, 2004.

Resolution No. 79-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040096 **[San Francisco City Employees' Retirement System Annual Report]**
Supervisors Sandoval, Dufty

Resolution approving the printing of not more than 100 hard copies of the San Francisco City Employees' Retirement System Annual Report on an annual basis as well as posting it on the web.

Resolution No. 80-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040110 **[AIDS Quilt]**
Supervisors Ammiano, Dufty

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco and urging the Department of Real Estate to identify City-owned property that may be suitable to house the Quilt.

Resolution No. 81-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040111 **[Recognizing Nora Castañeda, President of the Women's Development Bank in Venezuela]**
Supervisor Ammiano

Resolution recognizing the central role of Nora Castañeda, President of the Women's Development Bank of Venezuela (Banmujer).

Resolution No. 82-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040112 **[2004 Prevent Childhood Exposure to Violence Month]**
Supervisors Ammiano, Dufty

Resolution ratifying that the Board of Supervisors declares the month of February 2004 as "Prevent Childhood Exposure to Violence Month" in the City and County of San Francisco.

Resolution No. 83-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040113 **[Urging Comcast to advertise in support of medical marijuana]**
Supervisors Ammiano, Dufty

Resolution urging Comcast to accept political advertising in support of medical marijuana.

Resolution No. 84-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040115 **[San Francisco Chinese American Veterans Recognition Day]**
Supervisors Ma, Dufty, Sandoval, Peskin, McGoldrick, Hall

Resolution declaring February 16, 2004 to be "San Francisco Chinese American Veterans Recognition Day".

Supervisors Sandoval, Peskin, McGoldrick and Hall requested to be added as co-sponsors.

Resolution No. 85-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040118 **[Lunar New Year 2004]**
Supervisors Ma, Dufty, Sandoval, McGoldrick, Hall

Resolution celebrating the Lunar New Year and proclaiming January 22, 2004, the first day of the Year of the Monkey.

Supervisors Sandoval, McGoldrick and Hall requested to be added as co-sponsors.

Resolution No. 87-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040121 **[Hospital and Nursing Home Discharge Planning Task Force]**
Supervisors Ma, Dufty

Resolution adopting the findings in the Hospital and Nursing Home Discharge Planning Task Force's Final Report as submitted.

Resolution No. 88-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040122 **[Commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts]**
Supervisors Maxwell, Dufty, Ma, McGoldrick

Resolution commending the "Earn It! Keep It! Save It! San Francisco Initiative" for their efforts to increase the claiming of EITC, Child Tax Credit and other state and federal tax credits through free tax preparation assistance, as well as to link low-income families to financial education, asset development and other benefit programs

Supervisors Ma and McGoldrick requested to be added as co-sponsors.

Resolution No. 89-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040123 **[Black History Month - February]**
Supervisors Maxwell, Dufty, Ma, Sandoval, McGoldrick, Hall

Resolution recognizing the month of February as Black History Month.

Supervisors Sandoval, McGoldrick and Hall requested to be added as co-sponsors.

Resolution No. 90-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040124 **[Dear Diva]**
Supervisors Peskin, Ammiano, Dufty, McGoldrick

Resolution bestowing the title of San Francisco Emissary to AIDS Orphans to Dear Diva and recognizing her past, present and future work on behalf of those orphaned by AIDS worldwide.

Supervisor McGoldrick requested to be added as a co-sponsor.

Resolution No. 91-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040078 **[Final Map for a 9 Unit Mixed/Use Condominium Project - 1738 Lombard Street]**
Motion approving Final Map of 1738 Lombard Street, A Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 495, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,629; District 2.)

Motion No. M04-16

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

040079 **[Final Map for a 6 Unit Mixed/Use Condominium Project - 3110 California Street]**

Motion approving Final Map of 3110 California Street, A Mixed/Use Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1022, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,627; District 2.)

Motion No. M04-17

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

Severed from Without Reference to Committee

Supervisors Daly, Dufty and McGoldrick requested that this matter be severed so that it could be considered separately.

Supervisor Daly Excused From Voting

Supervisor Ammiano, seconded by Supervisor Peskin, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Daly

040114 **[Urging the Governor to consider postponing further Central Freeway touchdown ramp construction]**
Supervisor Dufty

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.

Supervisor McGoldrick dissented in committee.

Supervisor McGoldrick requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

Supervisor Hall requested that this matter be severed so that it could considered separately.

040116 **[Lenard D. Louie Day]**
Supervisors Ma, Dufty, Peskin, McGoldrick, Hall, Gonzalez

Resolution recognizing Lenard D. Louie's contributions to the community and declaring January 28, 2004 to be "Lenard D. Louie Day" in San Francisco.

Supervisors Peskin, McGoldrick, Hall and Gonzalez requested to be added as co-sponsors.

Resolution No. 86-04

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040141 **[Transit Impact Development Fee]**
Supervisor McGoldrick

Ordinance repealing San Francisco Administrative Code Chapter 38 (Transit Impact Development Fee) and adding a new Chapter 38 (Sections 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 38.10, 38.11, 38.12, 38.13, 38.14, 38.15), to enact a new Transit Impact Development Fee.
2/3/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/4/2004.

040144 **[Basic Floor Area Ratio Limit for C-M Zoning Districts]**
Supervisors Daly, Gonzalez

2/3/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/4/2004.

040145 **[Zoning Map Amendment - Second Street between South Park and Townsend Streets]**
Supervisor Daly

Draft ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the height designation of the property zoned 40-X that lies on the western side of Second Street between South Park and Townsend Street (Block 3775/Lots 007 and 008), and adopting findings.

040146 **[Determination of Fiscal Feasibility of Proposed Project]**
Supervisors Peskin, Ma, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 28 to require Board of Supervisors review of a proposed project meeting certain criteria and a determination that the proposed project is fiscally responsible and feasible before undertaking environmental review of the proposed project.
2/3/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/4/2004.

040147 **[General Plan Amendment in connection with Downtown Housing Demonstration Special Use District]**
Supervisor Peskin

Ordinance amending the San Francisco General Plan to change the height and bulk classification in connection with approvals for the proposed Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.
2/3/04, RECEIVED AND ASSIGNED to Land Use Committee. The President waived the 30-Day Rule.

040159 **[Interdepartmental Transfers - High Street Properties, AB 2848, Lot 01 and AB 2850, Lot 23]**
Supervisor Dufty

Ordinance transferring jurisdiction of the real property on High Street identified as Assessor's Block 2848, Lot 01 and Assessor's Block 2850, Lot 23 from the Department of Public Works to the Recreation and Park Department; adopting findings that the transfers are consistent with the General Plan and section 101.1 of the Planning Code, and requesting official actions in connection with this Ordinance.
2/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

Resolution

040153 **[Urging support for the transfer of vacant properties on High Street Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from DPW to Recreation and Park Department]**
Supervisor Dufty

Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040154 **[Urging Rejection of Lease Extension Option for Premises at 2350 19th Avenue]**
Supervisor Hall

Resolution urging the City's Director of Property to reject the Tenant's notice to extend the term of the Lease for the Premises at 2350 19th Avenue.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040155 **[Entertainment Commission]**
Supervisors Maxwell, Hall

Resolution urging the Entertainment Commission to prioritize their efforts to educate and outreach to both promoters and operators of cultural, entertainment, athletic and similar events and establishments throughout the City about the regulations and policy surrounding the permitting process.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040156 **[William Alexander Leidesdorff, Jr.]**
Supervisors Maxwell, Dufty

Resolution recognizing William Alexander Leidesdorff, Jr. as the African Founding Father of California.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040157 **[Creating City Website for Canadian Pharmacies]**
Supervisors Peskin, Sandoval, Daly

Resolution urging the Department of Public Health to develop a list of approved Canadian pharmacies and to develop an online resource to educate San Francisco residents about how to safely import pharmaceuticals from Canadian pharmacies.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040158 **[Nathan Ratner]**
Supervisors Peskin, Hall

Resolution declaring Nathan Ratner a living treasure of San Francisco.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040114 **[Urging the Governor to consider postponing further Central Freeway touchdown ramp construction]**
Supervisor Dufty

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.

Supervisor McGoldrick dissented in committee.
1/27/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
2/3/04, REFERRED to Land Use Committee. Supervisor McGoldrick requested that this matter be referred to Committee.

Requests for Hearing

040142 **[Public benefits policy and legislation]**
Supervisor McGoldrick

Hearing to discuss the development of a public benefits (such as affordable housing, open space, community service space, and production, distribution and repair space) policy and legislation.
2/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

040143 **[Pedestrian safety on Park Presidio Boulevard, Fulton Street, Geary Boulevard, and other problem areas in District 1]**
Supervisor McGoldrick

Hearing on the state of pedestrian safety on Park Presidio Boulevard, Fulton Street, Geary Boulevard, and other problem areas in District 1, with a special emphasis on what measures may be taken by the Police Department, Department of Parking & Traffic, Department of Public Works, and Health Department to improve the safety of these streets for pedestrians.

(Possible measures to be explored shall include but not be limited to increased traffic enforcement efforts (such as sting operations for red light running and failure to yield to cross-walks); targeted and effective public education programs; traffic calming measures; changes in intersection street structures (such as bulb-outs); changes in signage and/or traffic and pedestrian crossing signals (such as more traffic lights or stop signs); and changes in traffic rules (such as no right turns on red.)
2/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

040148 **[Waterfront Security Coordination]**
Supervisors Alioto-Pier, Daly, Peskin, Dufty

Hearing on the coordination of waterfront security between federal, state, and local agencies in order to better protect San Franciscans to ensure the City and County is in the best possible position to qualify for federal funds.
2/3/04, RECEIVED AND ASSIGNED to City Services Committee.

040149 **[Mission Housing Development Corporation (MHDC)]**
Supervisors Ammiano, Daly, Maxwell, Gonzalez

Hearing to consider recent events at the Mission Housing Development Corporation (MHDC), including the Board of Directors' recent suspension of the Executive Director and its impacts on MHDC projects funded by the City and County of San Francisco.
2/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

040151 **[Hearing - Police Department]**
Hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City. (Clerk of the Board)
2/3/04, ASSIGNED to Board of Supervisors. Pursuant to File 040152, Board to sit as a Committee of the Whole on February 10, 2004, at 5:30 p.m.

Motions

040140 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040150 **[Legislative Analyst Request - Waterfront Security]**
Supervisors Alioto-Pier, Daly

Motion requesting the Legislative Analyst to research and evaluate the programs and systems used by similar waterfront cities in North America to ensure waterfront security. Specifically examine Boston, Vancouver, New York City, Seattle, Portland, and Baltimore.
2/3/04, ASSIGNED to Board of Supervisors. Schedule for Board consideration February 10, 2004.

040152 **[Committee of the Whole - Violence in the Southeast Sector of the City]**
Supervisors Maxwell, Daly, Dufty, Hall

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.
2/3/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040031 **[Modification of parking regulations on portions of Mission Street]**
Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)
1/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040032 **[Modification of traffic regulations on portions of Mission Street]**
Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)
1/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040074 **[Speed Limit - Portion of Octavia Boulevard]**
Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)
1/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

040075 **[Speed Limit - Portion of Octavia Frontage Road]**
Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)
1/21/04, RECEIVED AND ASSIGNED to Land Use Committee.

040080 **[Settlement of Lawsuit - Sofia Rillanos]**

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for $80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

040081 **[Settlement of Lawsuit - Katherine Cox]**

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for $200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

1/26/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040028 **[STOP Intersections]**

Supervisor Sandoval

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

22nd Avenue and Pacheco Street, stopping Pacheco Street, making this intersection an All-Way STOP; and Niagara and San Jose Avenues, stopping San Jose Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

1/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040029 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Cesar Chavez Street, north side, between Illinois and Michigan Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Donner Avenue, both sides, from Phelps Street to easterly terminus (legislates existing parking conditions); and Pacific Avenue, south side, between Lyon Street and Presidio Avenue (legislates existing parking conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, north side, within the nine foot curb space between the driveways of 1448 and 1450 Hayes Street, west of Broderick Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
1673 Page Street, between the driveways for 1669 and 1673 Page Street (11-foot space). (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)
1/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040030 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

YIELD SIGN - ESTABLISH
Potrero Avenue/Cesar Chavez Street/Southbound 101 Off-Ramp at Bayshore Boulevard, southbound (eastbound).

NO TURN ON RED - ESTABLISH
Market Street, westbound, at Davis and Pine Streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Clay Street, eastbound, at Davis Street.

RIGHT TURN ONLY - ESTABLISH
Fowler Avenue, southbound, at Teresita Boulevard.

YIELD SIGN - ESTABLISH
Teresita Boulevard, southbound, at Fowler Avenue.

NO RIGHT TURN ON RED INTO MARKET STREET - RESCIND
NO RIGHT TURN ON RED - ESTABLISH
Castro Street, northbound, at Market Street.

NO TURN ON FLASHING RED - RESCIND
NO TURN ON RED - ESTABLISH
Church Street, northbound, at Market Street. (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)
1/20/04, RECEIVED AND ASSIGNED to Land Use Committee.

040033 **[Settlement of Claim - Catherine Lee]**

Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for $33,000; claim was filed on September 8, 2003; Claim No. 04-00706. (City Attorney)
1/20/04, RECEIVED AND ASSIGNED to Rules Committee.

040034 **[Modification #6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc. at Terminal 1 of S.F. International Airport.]**

Resolution approving and authorizing the execution of Modification # 6 to Lease and Use Agreement No. L-82-0115 with Delta Air Lines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)
1/20/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040035 **[Modification #7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc. at Terminal 1 of S.F. International Airport]**

Resolution approving and authorizing the execution of Modification # 7 to Lease and Use Agreement No. L-82-0119 with Northwest Airlines, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport. (Airport Commission)
1/20/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040076 **[Transgender cultural competency training to providers]**
Supervisors Dufty, Daly, Gonzalez

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $75,000 from the Department of Health and Human Services, Health Resources and Services Administration (DHHS, HRSA) for transgender cultural competency training and to enter into an agreement for the use of these funds; for the period of August 1, 2003 to July 31, 2004. (Public Health Department)
1/22/04, RECEIVED AND ASSIGNED to City Services Committee.

040082 **[Gift from Cypress Lawn Funeral Home]**
Resolution accepting Cypress Lawn Funeral Home's gift of goods and services to re-inter remains from the Yerba Buena Cemetery and agreeing to indemnify Cypress Lawn Funeral Home for any legal action resulting from and attributable to the provision of such goods and services. (Medical Examiner/Coroner)
1/26/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisors Ammiano, Gonzalez
To: City Attorney
Requesting/Inquiring: To prepare an amendment to the Administrative Code requiring the Director of Planning, as part of CEQA review, to seek independent economic analysis of the value of proposed zoning changes, prior to Planning Commission or Board of Supervisors consideration of such proposed changes.

From: Supervisor Ammiano
To: Chancellor, City College
Requesting/Inquiring: Inquiring as to whether or not Community College of San Francisco and the Board of Trustees of City College of San Francisco consider themselves a "state agency" subject to Public Resources Code 5024, 5024.5 and 5027

From: Supervisors Alioto-Pier, Daly
To: Director, Office of Emergency Services
To: Chief, Police Department
To: Chief, Fire Department
To: Director, Golden Gate Bridge Authority
To: Director, California Highway Patrol
To: Director, Federal Aviation Authority
To: Director, Department of Fish and Game
To: Director, National Park Service
To: Director, Coast Guard
To: Director, National Guard
To: Director, Golden Gate National Recreation Area
To: Director, Port
Requesting/Inquiring: To report on the scope and costs of programs and activities addressing waterfront security in the City and County of San Francisco encompassing the entire waterfront.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to facilitate a gun buyback program.

From: Supervisor Daly
To: Chief, Police
To: Director, Mayor's Office of Community Development
To: District Attorney
To: Director, Department of Public Health
Requesting/Inquiring: To report on your willingness to participate in a gun buy back program.

From: Supervisors Dufty, Ammiano
To: City Attorney
Requesting/Inquiring: To draft legislation amending the Planning Code to provide for zoning accommodations to facilitate the cooperative collective cultivation of medical cannabis, consistent with federal and state law.

From: Supervisor Dufty
To: City Attorney
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the City Attorney work with the Department of Parking and Traffic to draft legislation for the study and evaluation of pedestrian safety measures, parking enforcement, and speed limits in the City and County of San Francisco. (See Attached.)

From: Supervisor Dufty
To: City Attorney
Requesting/Inquiring: To draft legislation amending Public Works Code Section 724 et seq. concerning permits for temporary street space occupancy to address short-term occupation of less than 24 hours and less than 7 days.

From: Supervisor Hall
To: Director of Property
Requesting/Inquiring: To provide a list of all City properties that are being leased for $1.00 a year or less (e.g. 2350 19th Avenue). Please also provide a list of which City Department has jurisdiction over said property.

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of installation of traffic calming measures at the following locations:
Traffic camera at the corner of San Jose Ave. and Ocean Ave., traffic camera at the corner of Mission St. and Geneva Avenue, stop sign/light at the corner of San Jose Ave. and Santa Ynez Street.
cc: John McGirr, NMTIA, P.O Box 12111,□San Francisco, CA 94112
Stop sign/light at the corner of San Jose Ave. and Naglee St., an additional bike lane on Ocean Ave. from Phelan St. to Alemany Blvd., a possible upgrade to highly visible signs along Alemany Blvd.; a one-way conversion of Congdon St. between Silver Ave. and Alemany Blvd.
cc: Katherine Taylor, 102 Maynard St., San Francisco, CA 94112
Stop sign/light at the corner of Persia St. and London St.
cc: Gloria Alonzo, 437 London St., San Francisco, CA 94112
Stop sign/light at the corner of Ocean Ave. and Persia St.
cc: Elizabeth Muller, 542 Athens St., San Francisco, CA 94112
Four-way stop sign at the corner of Delano Ave. and Santa Ynez St.
cc: Gina Martinez, 8 Balhi Ct., San Francisco, CA 94112
Traffic calming solution at the corner of Niagara St. and San Jose Ave.
cc: Linda Harte, 98 Newton, San Francisco, CA 94112
Traffic calming solution at the corner of Mission St. and Geneva Ave.
cc: Linda Harte, 98 Newton, San Francisco, CA 94112
Traffic calming solution at the corner of Lisbon St. and France St.
cc: Dale Lovett, 559 Lisbon St., San Francisco, CA 94112
Traffic calming solution along Persia St. which may include ladder-striped crosswalks at the corners of LaGrade St., Vienna St., and London St.
Traffic calming solution along Alemany Blvd. which may include ladder-striped crosswalks at the corners of Congdon St., Trumbull St., and Santa Rosa St.
Upgrade to a countdown crosswalk at Mission St. and Excelsior Ave., a curb bulbout at Excelsior Ave. and Lisbon St., and highly visible signs highlighting the presence of nearby schools.
Cc: Mike Warren, 50 San Gabriel Ave., San Francisco, CA 94112
Upgrade of highly visible signs and/or a possible ladder-striped crosswalk at the corner of Avalon St. and Lisbon St. due to the presence of nearby schools.
Ladder-striped crosswalk at the corner of Craut St. and Silver Ave. This could precipitate the removal of a dangerous crosswalk at the corner of Lisbon St. and Craut St.
Traffic calming solution near the intersections of Lyell St., Bosworth St., and Arlington St., possibly including a bike path, highly visible signs denoting pedestrian right-of-way, and stop signs/lights.
Traffic calming solution along Mission St. possibly including traffic controls at pedestrian crosswalks to alert traffic of their crossing, adding ladder-striping to existing crosswalks, giving one-way status to San Juan St. toward Alemany Blvd. and adding ladder-striped crosswalks at the corners of Mission St. and Onondaga St. and Mission St. and France St.
Increasing the time allotted for pedestrians to cross at Alemany Blvd. and Onondaga St.

From: Supervisor Maxwell
To: Port
Requesting/Inquiring: To submit a detailed status report on its plans for Pier 70 and Piers 90-96, the Backlands, including the department's proposed budget, planning process, timeline, and any RFPs being considered for the areas.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To research whether the City can increase the penalty for violators of the San Francisco Police Code Article 15.1: Entertainment Regulations Permit and License provisions. Also, to provide recommendations on any needed changes to the State law to allow San Francisco to impose greater penalties for misdemeanors.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation amending Police Code Article 15.1, Sections 1060.2, 1060.19, 1060.20 and 1060.25, regarding entertainment regulations permit and license provisions.

From: Supervisor Maxwell
To: Legislative Analyst
To: City Attorney
Requesting/Inquiring: To research the current procedures and guidelines of the Police Department with respect to issuing permits for public social events and parties conducted throughout the city. Specifically, what are their practices of distributing 10B officers to these events? Are there special circumstances when more 10B officers are dispatched to one event versus another? Is there a direct correlation with the distribution of officers linked to the number of violence at these events? Does the Police Department have records on how many of these events have resulted in violence?

In Memoriams

Fredrick C. Guisande (Supervisor Ammiano)
Barbara Epp-Isackson (Supervisor Dufty)
Rose Schuman (Supervisor Dufty)
Stanley L. Berger (Supervisor Hall)
Chapin Coit (Supervisor Peskin)
Patricia Funsten Costello (Supervisor Sandoval)
Jesse S. Valencia (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 4:39 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 24, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, February 10, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisor Sandoval was noted absent.

Quorum present.

Supervisor Sandoval was noted present at 2:37 p.m.

CONSENT AGENDA

Recommendations of the City Services Committee

032044 **[Liquor License Transfer, 60 Dorman Avenue]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 144 King Street to 60 Dorman Avenue (District 10), to Mats Engstrom for Tsar Nicoulai Caviar, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 95-04
ADOPTED

032046 **[Liquor License Transfer, 447 Broadway Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 839 Howard Street to 447 Broadway Street (District 3), to Isaac Lee for a lounge/bar establishment, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 96-04
ADOPTED

040017 **[Accept-Expend State Grant]**

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $413,323 from the California Governor's Office of Emergency Services for emergency response equipment.

Resolution No. 60-04
ADOPTED

Recommendations of the Finance and Audits Committee

031985 **[Appropriate funding for the Laguna Honda Hospital Replacement Program]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty

Ordinance appropriating $189,427,586 of General Obligation Bond proceeds, $1,046,158 in bond interest, $15,992,796 in tobacco settlement revenues, and $5,072,941 of interest earnings on tobacco settlement revenue for a total of $211,539,481 to fund the Laguna Honda Replacement Program for the Public Health Department for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 23-04
FINALLY PASSED

031986 **[Laguna Honda Hospital General Obligation Bond Issuance]**
Mayor, Supervisors Hall, Sandoval, McGoldrick, Dufty

Ordinance providing for the issuance of not to exceed $299,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999); providing that such bonds may be issued as fixed or variable interest rate obligations; providing for the levy of a tax to pay the principal and interest of said bonds and authorizing payment of bonds from other legally available funds of the City; authorizing the execution of a Master Trust Agreement and Declaration of Trust which provide for the terms of said bonds; providing for the appointment of depositories and other agents of said bonds; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Ordinance No. 24-04
FINALLY PASSED

031990 **[Business Tax]**
Supervisors Ma, McGoldrick

Ordinance amending the Business and Tax Regulations Code to: (1) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) conform Article 12-A (Payroll Expense Tax Ordinance) with the amendments to Article 6 (Common Administrative Provisions) and (ii) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); and (3) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review. (Treasurer-Tax Collector)

Ordinance No. 26-04
FINALLY PASSED

Recommendations of the Land Use Committee

032052 **[Use of ramped taxi medallion in a spare taxicab sedan when ramped taxi is out of service]**
Ordinance adding Section 1148.6 of the Police Code to provide that the Taxi Commission may adopt a policy that allows ramped taxi permits to be used to operate spare regular taxicabs when the ramped taxi is out of service for necessary repairs or must be replaced due to breakdown of or damage to the vehicle, provided that the policy meets certain conditions. (Taxi Commission)

(No Public Benefit Recipient.)

Ordinance No. 27-04
FINALLY PASSED

031880 **[Amending Fire Code to require self-contained breathing replenishment systems in high rise building]**
Supervisors Dufty, Daly, Hall, Peskin, Ma

Ordinance amending San Francisco Fire Code by adding Section 9001.1.4 to require self-contained breathing replenishment systems in high rise buildings where permits have been issued after March 30, 2004.

Ordinance No. 22-04
FINALLY PASSED

Recommendations of the Rules Committee

031656 **[Campaign Consultants Lobbying Current and Former Clients]**
Supervisors Daly, Ammiano

Ordinance amending Article II, Chapter 1, Section 2.100, adding section 2.117 to Article II, Chapter 1, and adding section 1.545 to Article I, Chapter 5 of the Campaign and Governmental Conduct Code to prohibit campaign consultants and employees of campaign consultants from lobbying current and former clients.

Ordinance No. 28-04
FINALLY PASSED

031989 **[Transfer of City-Owned Property - Public Notice]**
Supervisors Dufty, Ma, Hall

Ordinance amending the San Francisco Administrative Code by adding Section 23.7 to require public notice before the Board of Supervisors may approve the sale, transfer, or other conveyance of City-owned property.

Ordinance No. 25-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040135 **[Adopting findings related to the conditional use appeal on property located at 1160 Mission Street]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street (Lots 37, 38 and 56 in Assessor's Block 3702). (Clerk of the Board)

(Companion measure to Files 040045, 040046, 040047, 040048, 040049.)

Motion No. M04-21

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

NEW BUSINESS

Recommendation of the Budget Committee

032026 **[Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]**
Ordinance amending Section 8.37 of the San Francisco Administrative Code to add new fees and repeal other fees charged by the Clerk of the Board of Supervisors, including new fees for copies of audio tape recordings of Board and Committee meetings; providing for an annual adjustment by the Controller based on the CPI. (Clerk of the Board)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Recommendations of the City Services Committee

040006 **[Grant - Recreation and Park, $154,020]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the Recreation and Park Department to accept and expend a grant from the Land and Water Conservation Funds in the amount of $154,020 for the renovation of McLaren Park, Yosemite Creek and Marsh.

Resolution No. 97-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040010 **[Grant - Recreation and Park, $4,742,243]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation & Park Department to accept and expend funds available under The Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 in the amount of $4,742,243.

Resolution No. 98-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040011 **[State Grant - Recreation and Park, $5,651,000]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation and Park to accept and expend State Grant Funds under the Per Capita Grant Program in the total amount of $5,651,000 from the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 to funding the following projects: Harding Park Club House, $3,500,000; Harvey Milk Center, $1,800,000; Chinese Recreation Center, $126,000; Minnie and Lovie Ward Recreation Center, $125,000; and Geneva Office Building/Car Barn, $100,000.

Resolution No. 99-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

040012 **[State Grant - Recreation and Park, $32,673,000]**
Mayor, Supervisors Hall, Dufty

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of $32,673,000 for following Golden Gate Park projects: Bison Paddock, $800,000; Children's Quarters Playground, $1,000,000; Kezar Pavilion Planning and Studies, $867,000; Concourse Institutions (Academy of Science, $3,000,000 and DeYoung Museum, $2,000,000); McLaren Lodge, $7,000,000; Music Concourse, $7,050,000; RPD GGP Projects, $818,000; Park Aid Station, $1,155,000; Portals of the Past, $100,000; Rhododendron Dell, $600,000; Signage for GGP, $100,000; South and Middle Lakes, $3,000,000; Stables, $1,400,000; Strybing, $3,000,000; and Urban Forestry Yard, $783,000.

Supervisor Dufty, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend grant funds in the amount of $32,673,000 for following Golden Gate Park projects: Bison Paddock, $800,000; Children's Quarters Playground, $1,000,000; Kezar Pavilion Planning and Studies, $867,000; Concourse Institutions (Academy of Science, $2,000,000 and DeYoung Museum, $3,000,000); McLaren Lodge, $7,000,000; Music Concourse, $7,050,000; RPD GGP Projects, $818,000; Park Aid Station, $1,155,000; Portals of the Past, $100,000; Rhododendron Dell, $600,000; Signage for GGP, $100,000; South and Middle Lakes, $3,000,000; Stables, $1,400,000; Strybing, $3,000,000; and Urban Forestry Yard, $783,000.

Resolution No. 100-04

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

Recommendations of the Finance and Audits Committee

030677 **[Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]**

Supervisor Peskin

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)
Supervisor Sandoval dissenting in Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin
Absent: 1 - Sandoval

031609 **[Authorizing an alternative procedure for establishing property and business improvement districts]**

Supervisor Peskin

Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 15 years; authorizing such districts to encompass and assess residential property; authorizing such districts to recover start-up costs through assessments; authorizing the Board of Supervisors to disestablish a district without cause upon a supermajority vote of the Board; requiring a minimum level of representation by business owners on the governing body of the proposed district; requiring that the Clerk of the Board notify business owners in English, Spanish and Cantonese when a petition for district formation is received; making technical corrections to Sections 1534 and 1535, repealing existing Sections 1513 through 1533 and 1540 through 1591, and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031974 **[Establishing Monthly Contribution Amount]**

Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 93-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031981 **[Reimbursement Resolution]**

Mayor

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith.

Resolution No. 94-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031984 **[Appropriate interest earned from the Educational Facilities Bond for the 75-year ground lease of 106 Bartlett Street]**

Mayor

Ordinance appropriating $4,400,000 of interest earned from the Educational Facilities Bond - 1997 - series 1999A and 2000A used to pay for the seventy-five year ground lease for the City College of San Francisco Mission Campus and related costs for the San Francisco Community College District for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040020 **[Airport Concession Lease]**

Resolution approving Amendment No. 4 to the Post-Security Master Retail/Duty Free Concession in the New International Terminal Building Lease No. 99-0035 between DFS Group, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

Resolution No. 101-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031884 **[Expend Federal Funds - Fiscal Year 2003 Lead Hazard Reduction Demonstration Grant Program] Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $2,600,000, which includes indirect costs of $30,000.

(No Public Benefit Recipient.)

Resolution No. 92-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to the Director of the San Francisco Youth Works.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Savanah Blackwell.

SPECIAL ORDER 4:00 P.M.

031551 **[Eminent Domain - Resolution of Necessity - 701 Lombard Street]**

Resolution authorizing acquisition of Lot 001 in Assessor's Block 0074 in San Francisco by Eminent Domain for the Neighborhood Park Bond and Open Space Programs, and adopting findings under City Planning Code Section 101.1. (Real Estate Department)

Resolution No. 106-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Dufty, Hall, Ma

SPECIAL ORDER 4:00 P.M.

031969 **[Public Hearing - Appeal of Categorical Exemption - 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 12, 2003, approving a Certificate of Determination of Exemption/Exclusion from Environmental Review for the proposed construction project located at 899 North Point Street, on Assessor's Block 0026, Lot 020. (Appellants: Roland Salvato and Malana Moberg, on behalf of The Aquatic Park Neighborhood Association and The Russian Hill Improvement Association.)

(Appeal filed December 4, 2003; companion measure to Files 031970, 031971, 031972.)

Stephen Williams, Attorney for appellant
Support of appellant:
Female; Josephine; Tom Coyne; William Duffy; Connie Linahan; Jane S.; Robert Hutton; John Cochran; Roland Salvato; Kim Duckman; male.

Paul Maltzer, Environmental Officer, Planning Department, reviewed with the Board the Planning Department's recommendation.

Jim Reuben, Reuben & Alter, Attorney for project sponsor

Rebuttal Period:
Stephen Williams, Attorney for appellant

The President declared the Public Hearing Closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

031970 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031971 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-18

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031972 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M04-19

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recess

The Board recessed at the hour of 6:08 p.m.

Reconvening of the Board

The Board at the hour of 6:22 p.m. reconvened.

Calling the Roll

On the Call of the Roll Supervisors Hall, Ma, and McGoldrick were noted absent.

Quorum present.

Supervisor Ma noted present at 6:23 p.m.
Supervisor Hall noted present at 6:29 p.m.
Supervisor McGoldrick noted present at 6:31 p.m.

SPECIAL ORDER 5:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

040151 **[Hearing - Police Department]**

Hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City. (Clerk of the Board)

Heather Fong, Acting Chief of Police; Deputy Chief Greg Suhr; Deputy Chief Rick Bruce; Kamala Harris, District Attorney; Jeff Adachi, Public Defender; Armando Cervantes, Chief Probation Officer; Gwendolyn Tucker, Juvenile Probation; Murleen Randall, Mayor's Office; The Fleming Family; Rev. Amos Brown; Betty Cooper; Ulysses Powell; Leona Lindsey; Catherine Tyson; Barbara George; Amy Bagley; Cynthia Johnson; Imelda DeVoine; Karen Pierce; Jackson Sayon; Mike Brown, Inner City Youth; John Jack; Vernon Jenkins; Shawn Richard, Brothers Against Guns; Sharon Hewitt; Misha Irizarry; Margaret Taylor; Michelle Henry-Ellis; Laurissa Wells; Stephanie Burch, Peacemakers; Albert Sandoval, SFOP; William Hammons; Mr. Blackburn; Elisha Rochell, CLEAR Project; Alma Robinson; Laboriae Smoore; Sarah Benton; Sybil Christopher; Eva Shepard; Shirley Byrd; Helen Jones; Rev. Toni Dunbar, Spirit Life Center; Sonya Allen-Smith; Female speaker; Kevin Epps, Artist/Activist; Male speaker; Abdulla Megaheed.
The President declared the Public Hearing Closed.
HEARD AT PUBLIC HEARING.

COMMITTEE REPORTS

Recommendation of the City Services Committee

040057 **[State law change related to alcohol closing hours]**
Supervisors Peskin, Daly

Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.

Continued to February 24, 2004

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Sandoval, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Dufty, Gonzalez, Ma, McGoldrick, Sandoval
Noes: 5 - Ammiano, Daly, Hall, Maxwell, Peskin

Supervisor Dufty, seconded by Supervisor Peskin, moved to rescind the previous vote.
The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Alioto-Pier
Noes: 3 - Gonzalez, Hall, Sandoval

Resolution No. 102-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin
Noes: 3 - Hall, Maxwell, Sandoval

Recommendations of the Land Use Committee

031739 **[Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisors Daly, Maxwell, Ammiano

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED, ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Hall, Ma

040019 **[Union Pacific Railroad track lease for Third St. and Carroll Avenue for the Third Street LRT Project]**
Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific Railroad (UP) that leases approximately six hundred (600) feet of the Union Pacific Railroad's track at Third Street and Carroll Avenue for a term of 25 years, rent of $10 per year, and a one-time administrative fee of $500 per lease, for a total cost of $750, and requires the City to maintain and repair the track and construct and maintain a railroad crossing signal system. (Municipal Transportation Agency)

Resolution No. 61-04
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Hall, McGoldrick

PUBLIC COMMENT

Abdullah Megaheed; congratulating and welcoming Supervisor Alioto-Pier
Laboriae Smoore; housing tenant issues
Steven Willits; Save Golden Gate Park
Brian O'Flynn; democratic principles, do the right thing
Male Speaker

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

040150 **[Legislative Analyst Request - Waterfront Security]**
Supervisors Alioto-Pier, Daly

Motion requesting the Legislative Analyst to research and evaluate the programs and systems used by similar waterfront cities in North America to ensure waterfront security. Specifically examine Boston, Vancouver, New York City, Seattle, Portland, and Baltimore.

Supervisor Gonzalez noted absent at 8:40 p.m.
Supervisor McGoldrick noted absent at 10:30 p.m.
Supervisor Daly requested to be added as a co-sponsor.

APPROVED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040155 **[Entertainment Commission]**
Supervisors Maxwell, Hall

Resolution urging the Entertainment Commission to prioritize their efforts to educate and outreach to both promoters and operators of cultural, entertainment, athletic and similar events and establishments throughout the City about the regulations and policy surrounding the permitting process.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 103-04

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

040156 **[William Alexander Leidesdorff, Jr.]**
Supervisors Maxwell, Dufty

Resolution recognizing William Alexander Leidesdorff, Jr. as the African Founding Father of California.

Resolution No. 104-04

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

040157 **[Creating City Website for Canadian Pharmacies]**
Supervisors Peskin, Sandoval, Daly

Resolution urging the Department of Public Health to develop a list of approved Canadian pharmacies and to develop an online resource to educate San Francisco residents about how to safely import pharmaceuticals from Canadian pharmacies.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 105-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

040158 **[Nathan Ratner]**
Supervisors Peskin, Hall

Resolution declaring Nathan Ratner a living treasure of San Francisco.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 62-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

040140 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-20

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Gonzalez, McGoldrick

Severed from Without Reference to Committee

Supervisor Maxwell requested that this matter be severed so that it could be considered separately.

040152 **[Committee of the Whole - Violence in the Southeast Sector of the City]**
Supervisors Maxwell, Daly, Dufty, Hall

Motion scheduling a Committee of the Whole on February 10, 2004, at 5:30 p.m. to hold a hearing to discuss with the Police Department what they are doing to curb violence and prevent additional meaningless deaths in the Southeast sector of the City.

Motion No. M04-22

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Absent: 2 - Hall, McGoldrick

Supervisor Dufty requested that this matter be severed so that it could be considered separately.

040153 **[Urging support for the transfer of vacant properties on High Street Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from DPW to Recreation and Park Department]**
Supervisor Dufty

Resolution urging support for the transfer of vacant properties on High Street identified as Assessor's Block 2848, Lot 001 and Assessor's Block 2850, Lot 023 from the Department of Public Works to the Recreation and Park Department for the creation of open space.

Supervisor Dufty requested that this matter be referred to Committee.
REFERRED to the Finance and Audits Committee.

Supervisor Ma requested that this matter be severed so that it could be considered separately.

040154 **[Urging Rejection of Lease Extension Option for Premises at 2350 19th Avenue]**
Supervisor Hall

Resolution urging the City's Director of Property to reject the Tenant's notice to extend the term of the Lease for the Premises at 2350 19th Avenue.

Supervisor Ma requested that this matter be referred to Committee.
REFERRED to the Finance and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040181 **[MOU - Amendment No. 1 and Amendment No. 2, Local 21]**
Mayor, Supervisor Sandoval

Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.

(Fiscal impact.)
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040183 **[Providing floor area bonus incentives for the provision of certain public benefits]**
Supervisors McGoldrick, Gonzalez, Daly

Ordinance amending the Planning Code by adding Sections 318 through 318.6 to encourage the development of comprehensive community plans that provide floor area bonus incentives for the provision by housing projects of certain public benefits for the City, including affordable housing, open space, community serving space, and PDR space, and, until the development of plans for specific neighborhoods, to impose a program on housing projects receiving a floor area bonus requiring the provision of public benefits, and amending Sections 123 and 207 to except housing projects receiving a floor area bonus under this ordinance from the density limits of the Planning Code.
2/10/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/11/2004.

040184 **[Zoning Map Amendment in connection with Downtown Housing Demonstration Special Use District]**
Supervisor Peskin

Ordinance amending Zoning Map Section 1H and 1SU of the City and County of San Francisco for the property zoned Downtown Office District (C-3-O) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006) from 250-S to 285-S; adopting findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
2/10/04, RECEIVED AND ASSIGNED to Land Use Committee. The President waived the 30-Day Rule.

040193 **[Public Utilities Citizens' Advisory Committee]**
Supervisors Ammiano, Maxwell

Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.
2/10/04, RECEIVED AND ASSIGNED to Rules Committee.

040194 **[Employee Catastrophic Illness Program]**
Supervisor Ammiano

Ordinance amending Section 16.9-29A(d) of the San Francisco Administrative Code to authorize employee reimbursement of the Catastrophic Illness Program upon qualification for or receipt of disability benefits and amending Section 16.9-29A(i) of the San Francisco Administrative Code to authorize employee transfer of unused hours to pool if participation in Catastrophic Illness Program expires or is terminated.
2/10/04, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 3/11/2004.

040093 **[Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]**
Mayor

Ordinance appropriating $5,460,000 of fund balance from the Water Department and $1,540,000 of fund balance from Hetch Hetchy, for a total of $7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of $6,000,000 for the Program Management Organization (PMO) and $1,000,000 for SFPUC staff and other support services.

(Fiscal impact.)
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040094 **[Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program, Program PEIR, and the intertie between EBMUD and San Francisco's water supply system]**
Mayor

Ordinance appropriating $2,747,247 of personnel-operating fund balance from the Water Department and $12,985,734 of Proposition A Bond funds, for a total of $15,732,981 for: $2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which $595,627 is retroactive, $8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and $4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which $400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.

(Fiscal impact.)
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040095 **[Public Employment]**
Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 7 positions (1.75 FTE) at the Water Department, 3 positions (0.75 FTE) at the Human Rights Commission, and 5 positions (1.25FTE) at the Human Resources Department.

(Fiscal impact.)
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

020585 **[Establishing a Library Citizens Advisory Committee]**
Supervisor Daly

Ordinance amending Chapter 5 of the San Francisco Administrative Code by adding Article 25, Section 5.250, to establish the Library Citizens Advisory Committee as an advisory committee to the Board of Supervisors.

4/8/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

12/10/02, FILED PURSUANT TO RULE 5.37.

10/21/03, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated and be named as sponsor.

10/21/03, ASSIGNED to Rules Committee.

2/10/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title. Supervisor McGoldrick removed his name as sponsor.

2/10/04, ASSIGNED to Rules Committee.

030679 **[Resource Efficiency Requirements and Green Building Standards]**
Supervisor Ammiano

Ordinance repealing Chapter 7 of the Environment Code, Resource Efficiency Requirements, and adding a new Chapter 7 to the Environment Code to adopt and incorporate new provisions for green building design principles for City construction projects and to reconfigure the existing Resource Efficiency Building Task Force.

4/22/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/22/2003.

7/24/03, TRANSFERRED to Land Use Committee.

2/10/04, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

2/10/04, ASSIGNED to Land Use Committee.

Resolutions

040186 **[Reimbursement Resolution]**
Supervisor McGoldrick

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness; and approving and ratifying previous actions in connection therewith

2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040187 **[Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.

(Fiscal impact.)

2/10/04, RECEIVED AND ASSIGNED to Board of Supervisors.

2/10/04, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on March 9, 1004, at 3:00 p.m.

040192 **[Accept-Expend State Grant]**
Supervisors Alioto-Pier, Hall

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $1,824,467 from the California Governor's Office of Homeland Security for emergency response equipment, training, and exercises.
2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

040201 **[Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]**
Supervisors Ammiano, Dufty, Daly, Gonzalez

Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040202 **[California Youth Authority]**
Supervisors Ammiano, Maxwell, Daly, Sandoval, McGoldrick, Ma, Dufty, Gonzalez

Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/23/04 - Received memorandum from the Youth Commission supporting the resolution.

040203 **[Urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month, and reaffirming S.F.'s commitment to diversity]**
Supervisor Daly

Resolution urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month pending review by the Library Commission and Human Rights Commission of the appropriateness and compatibility of this exhibit, and reaffirming the City and County of San Francisco's commitment to racial and ethnic diversity.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040204 **[Commending Chris Cunnie]**
Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval

Resolution commending Officer Chris Cunnie for his leadership and dedication to the San Francisco Police Officers' Association, for serving as its President for seven years, forging positive community relationships throughout San Francisco, and for improved working conditions.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040205 **[Commending Log Cabin Ranch School]**
Supervisors Maxwell, Ma, Dufty, Alioto-Pier, Daly

Resolution commending Log Cabin Ranch School and urging the Mayor's Office of Budget to ensure resources remain available to allow for the continued vitality of this critical program.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040206 **[Commending Dr. Dorothy Height]**
Supervisors Maxwell, Dufty

Resolution commending Dr. Dorothy Height and declaring February 15, 2004 "Dr. Dorothy Height Day" in the City and County of San Francisco.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040207 **[Recognizing February 15-21, 2004 as National Black Family Technology Awareness Week]**
Supervisors Maxwell, Dufty

Resolution recognizing February 15-21, 2004 as National Black Family Technology Awareness Week and commending IBM, the Career Communications Group and its local partners at the San Francisco Unified School District and Zeum in hosting forums to highlight this issue.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040208 **[Extending the term of the Biosciences Task Force to October 22, 2004]**
Supervisor Maxwell

Resolution extending the term of the Biosciences Task Force from April 22, 2004 to October 22, 2004.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040209 **[Alan O. Friedland Pump]**
Supervisor Peskin

Resolution urging the San Francisco Public Utilities Commission to name the North Shore Pump Station The Alan O. Friedland Pump Station in honor of Mr. Friedland's many contributions to the City and County of San Francisco and designate February 27, 2004 as Alan O. Friedland Day.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040210 **[Proposition K Transition Plan Call for Projects]**
Supervisor Sandoval

Resolution urging the City's Department of Parking and Traffic, the Department of Public Health, the Police Department and other relevant departments and agencies to apply for funding under the Proposition K Transition Plan.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040211 **[Commending Dr. Raymond K.Y. Li]**
Supervisors Sandoval, Ma, Dufty, Peskin

Resolution commending Dr. Raymond K.Y. Li for his contributions to health services for the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040212 **[Commending Ross Shoaf]**
Supervisor Sandoval

Resolution commending Ross Shoaf for his tireless efforts to improve the flow of traffic and his work on other transportation issues within San Francisco, and for extending his talents to other metropolitan areas.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040214 **[Commending Thomas Ng]**
Supervisors Sandoval, Ma, Dufty, Peskin, Gonzalez

Resolution commending Thomas Ng for his numerous contributions to the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

040188 **[Hearing - Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)
2/10/04, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on March 9, 1004, at 3:00 p.m.

040189 **[Benefits of long range planning to SF economy and revenue collections]**
Supervisor McGoldrick

Hearing to consider the benefits to the San Francisco economy and to City revenue collections of long range planning and Area Plans, with a focus on on-going Better Neighborhoods Area Plans and other on-going and proposed Planning Department Long Range Planning Programs.
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040190 **[Parking tickets]**
Supervisor McGoldrick

Hearing to examine patterns over the last 4 years in the dismissal of parking tickets issued to employees of the City and County of San Francisco, including reasons for dismissal, official responsible for dismissal, person benefiting from dismissal, etc.
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040191 **[Lease Extension Option for Premises at 2350 19th Avenue]**
Supervisor Hall

Hearing on the 2350 19th Avenue and the loss of revenue to the City for a $1 lease for the San Francisco Neighborhood Resource Center.
2/10/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040195 **[Department of Building Inspection Permit Applications]**
Supervisor Dufty

Hearing requesting the Department of Building Inspection to bar-code permit applications and to track applications by permit consultants, contractors, architects, attorneys, and other applicants.
2/10/04, RECEIVED AND ASSIGNED to Rules Committee.

040196 **[Community Audit for the Southeast Neighborhoods of San Francisco]**
Supervisor Dufty

Hearing on initiating a Community Audit by the City Controller addressing needs in the Southeast Sector. This audit should consider identifiable community needs, as well as an assessment of community benefit programs, City services, and City-funded programs.
2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

040197 **[Status of SFUSD Truancy Initiatives]**
Supervisor Dufty

Hearing to receive an update from the San Francisco Unified School District and other City Departments on the implementation of truancy prevention initiatives, including recommendations of the 2002-2003 S.F. Civil Grand Jury.
2/10/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

Motions

040180 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040185 **[Extending Time for Negotiations]**
Supervisor Peskin

Motion extending time for negotiations pursuant to Charter Section 11.100.
2/10/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040213 **[Community Audit for the Southeast neighborhoods in San Francisco]**
Supervisor Dufty

Motion directing that the City Controller initiate a Community Audit addressing needs in the Southeast sector, to consider, document and evaluate community needs as well as do an assessment of community benefit programs, City services and City-funded programs.
2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED ORDINANCES

040131 **[Settlement of Lawsuit - Michelle Asami]**
Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for $43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)
2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040128 **[Provide supportive services to newly housed people with disabilities]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $699,028 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide supportive services to newly housed people with disabilities and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)
1/29/04, RECEIVED AND ASSIGNED to City Services Committee.

040129 **[Reduce sexual risk for HIV transmission in substance using men who have sex with men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $130,866 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 30, 2003 to September 29, 2004. (Public Health Department)
1/27/04, RECEIVED AND ASSIGNED to City Services Committee.

040130 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend $2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway. (Municipal Transportation Agency)
1/27/04, RECEIVED AND ASSIGNED to Land Use Committee.

040132 **[Settlement of Claim - Larry Oldham]**
Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for $75,000, claim was filed on May 22, 2003. (City Attorney)
2/2/04, RECEIVED AND ASSIGNED to Rules Committee.

040133 **[Onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Tom Waddell Health Center (SFDPH, TWHC) to enter retroactively into an agreement with the Tenderloin AIDS Resource Center (TARC) the primary contractor, and expend funds in the amount of $597,710 to provide onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS; for the period of September 29, 2003 to March 31, 2007. (Public Health Department)
2/2/04, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To prepare an amendment to the Hotel Tax Ordinance enumerating all seven cultural centers. (See attached).

From: Supervisor Ammiano
To: Chancellor, City College
Requesting/Inquiring: if an official City College representative will testify at the Planning Commission meeting regarding landmark status for the New Mission Theater, and requesting any Board of Trustees adopted policy on landmark status for the theater.

From: Supervisor Daly
To: City Librarian, Public Library
Requesting/Inquiring: Requesting correspondence between the Library and the European American Issues Forum related to the "European Americans Among Us" exhibit. Criteria used by the library to determine the suitability of these exhibits and a justification as to why, during Black History Month, the library would put these exhibits up in the Main Library.

From: Supervisor Dufty
To: Director, Housing Authority
To: Director, Department of Public Health
To: Director, Department of Social Services
To: Director, Mayor's Office of Criminal Justice
To: Director, Mayor's Office of Housing
To: Director, Department of Children, Youth and Their Families
To: General Manager, Recreation and Park Department
To: Chief, Police Department
To: District Attorney
To: Director, Juvenile Probation Department
To: S. F. Trail Courts
To: Public Defender
To: Sheriff
To: S.F. Unified School District
To: General Manager, Muni
To: Director, Human Rights Commission
To: General Manager, Public Utilities Commission
To: Director, Redevelopment Agency
Requesting/Inquiring: Requesting ideas and input on how a Controller's Community Audit can identify community needs, assess community benefit programs, and evaluate City services and City-funded programs to quantify needs and recommend policies, programs and needed resources to improve the quality of life in the southeast neighborhoods of San Francisco.

From: Supervisor Dufty
To: City Attorney
Requesting/Inquiring: To draft legislation requiring the Department of Building Inspection to bar-code permit applications and to track applications by permit consultants, contractors, architects, attorneys and other applicants.

From: Supervisor McGoldrick
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To provide a list of all parking violations by each City department for the last 4 years, including the disposition of that violation. If a violation was dismissed, please provide the explanation for that dismissal.

From: Supervisor McGoldrick
To: Controller
To: Director, Planning Department
Requesting/Inquiring: Requesting the Controller work with Planning Department to analyze the benefits to the San Francisco economy and to City revenue collections of long range planning and Area Plans, with a focus on on-going Better Neighborhoods Area Plans and other on-going and proposed Planning Department Long Range Planning Programs.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Robert (Bob) Denebeim (Supervisor Ammiano)
Elisa Valenzuela Vasquez (Supervisor Dufty)
Laura Fontanello (Supervisor Alioto-Pier)
Fon Lee (Supervisor Ma)
Harold Yee (Supervisors Ma, Dufty, Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 10:37 p.m. adjourned.

Gloria L. Young, Clerk

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.

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MEETING MINUTES

Tuesday, February 24, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	Thursday 10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisors Maxwell and McGodlrick were noted absent.

Quorum present.

Supervisors McGoldrick was previously excused from attending today's meeting. (See Infra)

Supervisor Maxwell was noted present at 2:29 p.m.

Supervisor McGoldrick Excused from Attendance

Supervisor Dufty, seconded by Supervisor Ammiano, moved to excuse from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Dufty, moved to approve January 27, 2004 and February 3, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

COMMUNICATIONS

President Gonzalez informed the Board that Supervisor Maxwell was attending Jury Duty and would be arriving later during the meeting.

CONSENT AGENDA

Recommendation of the Budget Committee

032026 **[Clerk of the Board of Supervisors - Amendments to fees charged by the Clerk]**
Ordinance amending Section 8.37 of the San Francisco Administrative Code to add new fees and repeal other fees charged by the Clerk of the Board of Supervisors, including new fees for copies of audio tape recordings of Board and Committee meetings; providing for an annual adjustment by the Controller based on the CPI. (Clerk of the Board)

Ordinance No. 29-04
FINALLY PASSED

Recommendations of the City Services Committee

040070 **[Accept-Expend State Grant]**
Supervisor Ma

Resolution authorizing the Recreation and Park Department to accept and expend a Recreational Trails Program grant in the total amount of $220,000 from the State of California Parks and Recreation Department under the Transportation Equity Act for the 21st Century for the Pine Lake Trail Improvement Project.

Resolution No. 114-04
ADOPTED

040076 **[Transgender cultural competency training to providers]**
Supervisors Dufty, Daly, Gonzalez

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend a grant in the amount of $75,000 from the Department of Health and Human Services, Health Resources and Services Administration (DHHS, HRSA) for transgender cultural competency training and to enter into an agreement for the use of these funds; for the period of August 1, 2003 to July 31, 2004. (Public Health Department)

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 115-04
ADOPTED

040103 **[Grant Application - Dept. of the Environment Grant]**
Supervisors Dufty, Gonzalez

Resolution authorizing the Department of the Environment to apply for a grant in the amount of $261,961 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 118-04
ADOPTED

040128 **[Provide supportive services to newly housed people with disabilities]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $699,028 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide supportive services to newly housed people with disabilities and to enter into an agreement for the use of these funds; for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 122-04
ADOPTED

040129 **[Reduce sexual risk for HIV transmission in substance using men who have sex with men]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $130,866 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to reduce the sexual risk for HIV transmission in substance using men who have sex with men (SU-MSM), for the period of September 30, 2003 to September 29, 2004. (Public Health Department)

Resolution No. 123-04
ADOPTED

040133 **[Onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS]**
Supervisors Dufty, Daly

Resolution authorizing the San Francisco Department of Public Health, Tom Waddell Health Center (SFDPH, TWHC) to enter retroactively into an agreement with the Tenderloin AIDS Resource Center (TARC) the primary contractor, and expend funds in the amount of $597,710 to provide onsite medical and other healthcare services for TARC clients living with and/or at high risk for HIV/AIDS; for the period of September 29, 2003 to March 31, 2007. (Public Health Department)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 125-04
ADOPTED

Recommendations of the Finance and Audits Committee

031609 **[Authorizing an alternative procedure for establishing property and business improvement districts]**
Supervisor Peskin

Ordinance amending Article 15 of the Business and Tax Regulations Code by amending Sections 1510 and 1511 to authorize the Board of Supervisors to initiate proceedings to establish property and business improvement districts upon receipt of a petition signed by property owners responsible for 30 percent of the proposed assessment; authorizing such districts to be formed for a term of up to 15 years; authorizing such districts to encompass and assess residential property; authorizing such districts to recover start-up costs through assessments; authorizing the Board of Supervisors to disestablish a district without cause upon a supermajority vote of the Board; requiring a minimum level of representation by business owners on the governing body of the proposed district; requiring that the Clerk of the Board notify business owners in English, Spanish and Cantonese when a petition for district formation is received; making technical corrections to Sections 1534 and 1535, repealing existing Sections 1513 through 1533 and 1540 through 1591, and making environmental findings.

Ordinance No. 32-04
FINALLY PASSED

031984 **[Appropriate interest earned from the Educational Facilities Bond for the 75-year ground lease of 106 Bartlett Street]**
Mayor

Ordinance appropriating $4,400,000 of interest earned from the Educational Facilities Bond - 1997 - series 1999A and 2000A used to pay for the seventy-five year ground lease for the City College of San Francisco Mission Campus and related costs for the San Francisco Community College District for fiscal year 2003-04.

(Fiscal impact.)

Ordinance No. 31-04
FINALLY PASSED

040015 **[Lease of Real Property - 70 Oak Grove Street]**
Supervisors Sandoval, Peskin, McGoldrick

Resolution authorizing the lease of 10,000 sq. ft. of space at 70 Oak Grove Street for the Sheriff's Department's Alternative Programs. (Real Estate Department)

Resolution No. 109-04
ADOPTED

040091 **[Lease of Real Property - 1315 and 1319 Evans Avenue]**
Supervisor Maxwell

Resolution authorizing a lease of approximately 1,128 square feet of space at 1315 and 1319 Evans Avenue for the Department of Child Support Services for a term of five years.

Resolution No. 117-04
ADOPTED

040082 **[Gift from Cypress Lawn Funeral Home]**

Resolution accepting Cypress Lawn Funeral Home's gift of goods and services to re-inter remains from the Yerba Buena Cemetery and agreeing to indemnify Cypress Lawn Funeral Home for any legal action resulting from and attributable to the provision of such goods and services. (Medical Examiner/Coroner)

Resolution No. 116-04
ADOPTED

Recommendations of the Rules Committee

040080 **[Settlement of Lawsuit - Sofia Rillanos]**

Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for $80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

PASSED, ON FIRST READING

040081 **[Settlement of Lawsuit - Katherine Cox]**

Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for $200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040131 **[Settlement of Lawsuit - Michelle Asami]**

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for $43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040132 **[Settlement of Claim - Larry Oldham]**

Resolution approving the settlement of the unlitigated claim filed by Larry Oldham against San Francisco for $75,000, claim was filed on May 22, 2003. (City Attorney)

Resolution No. 124-04
ADOPTED

040033 **[Settlement of Claim - Catherine Lee]**

Resolution approving the settlement of the unlitigated claim filed by Catherine Lee against San Francisco for $33,000; claim was filed on September 8, 2003; Claim No. 04-00706. (City Attorney)

Resolution No. 112-04
ADOPTED

040120 **[Appointment - Biosciences Task Force]**

Resolution appointing Gregory Stewart, term ending April 22, 2004 to the Biosciences Task Force. Residency requirement waived.

Resolution No. 121-04
ADOPTED

040126 **[Appointment - Biosciences Task Force]**
Resolution appointing Scott Ogus, term ending April 22, 2004 to the Biosciences Task Force.

Resolution No. 120-04
ADOPTED

040176 **[Appointment - Treasure Island Authority Citizens Advisory Board]**
Resolution appointing Stephen Matton, Charles Higgins and Suzanne Kim, terms ending January 1, 2005 to the Treasure Island Authority Citizens Advisory Board.

Resolution No. 135-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

040200 **[Adopting findings related to the categorical exemption issued for 899 North Point Street]**
Motion adopting findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

(Companion measure to Files 031969, 031970, 031971, 031972.)

Motion No. M04-29
APPROVED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendation of the Finance and Audits Committee

030677 **[Requiring Slip Resistant Manhole, Vault, and Sub-sidewalk Basement Covers, Grilles, Grates, or Other Lids on the Public Sidewalk]**
Supervisor Peskin

Ordinance adding Public Works Code Section 790 to require the installation of slip resistant manhole, vaults, and sub-sidewalk basement covers, grilles, grates, or other lids on the public sidewalk, to grant the Director of Public Works authority to enforce requirements, and to provide for administrative and civil penalties for violations.

(Fiscal impact.)
Supervisor Sandoval dissenting in Committee.

Ordinance No. 30-04
FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin
Noes: 1 - Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendation of the Land Use Committee

031739 **[Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisors Daly, Maxwell, Ammiano

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 5, 2004. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before April 5, 2004.

(March 5, 2004 - Vetoed by Mayor.
March 9, 2004 - Consideration scheduled for March 30, 2004.)

FINALLY PASSED by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Hall, Ma
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendation of the Budget Committee

040088 **[2004-2005 Fiscal Year Budget for the Board of Supervisors/Clerk of the Board]**
Supervisor Daly

Motion approving the fiscal year 2004-2005 proposed budget for the Board of Supervisors/Clerk of the Board located in Board File No. 032023, and directing that it be filed with the Mayor. (Clerk of the Board)

Supervisor Daly requested to be added as sponsor.

Motion No. M04-24

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendations of the City Services Committee

040055 **[Fees for regulation of mobile storage containers on the public right-of-way]**
Supervisors Peskin, Daly

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

032027 **[Adopting the recommendations of the City Non-Profit Contracting Task Force]**
Supervisors Maxwell, Dufty, Ma, Daly, Gonzalez

Resolution adopting the recommendations of the City Non-Profit Contracting Task Force.

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 137-04

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Peskin, Sandoval
Noes: 1 - Hall
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

031967 **[Liquor License Transfer, 500 Divisadero Street]**
Supervisor Gonzalez

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 901 Geneva Avenue to 500 Divisadero Street (District 5), to Leila K. Fakouri dba Madrone Lounge, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 108-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

040016 **[Liquor License Transfer, 1028 Geary Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 3653 Buchanan Street to 1028 Geary Street (District 6), to Neeraj Gore for Lunar Productions LLC, dba "Element" bar and lounge, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 110-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendations of the Finance and Audits Committee

040023 **[Public Auction of tax-defaulted real property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Resolution No. 111-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

040056 **[Cost sharing agreement to address Ocean Beach erosion issues]**
Mayor, Supervisors Ma, Hall, McGoldrick

Resolution approving a Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers concerning the study and development of alternatives to protect the Great Highway and Ocean Beach from beach and bluff erosion and authorizing other official acts in connection with this Agreement.

Resolution No. 113-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendation of the Land Use Committee

031879 **[Residential Rent Ordinance-Keys]**
Supervisors Daly, Gonzalez

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Peskin, Sandoval
Noes: 1 - Hall
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Recommendations of the Rules Committee

030423 **[Establishing the powers and duties of the Small Business Commission]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

Supervisor Gonzalez requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

Supervisor Maxwell noted present at 2:29 p.m.

Supervisor Daly Excused from Voting

Supervisor Dufty, seconded by Supervisor Daly, moved to excuse Supervisor Daly at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

031920 **[Appointment - Small Business Commission]**
Supervisor Gonzalez

Motion appointing Michael O'Connor, David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

Supervisor Daly requested to divide the question of Michael O'Connor and be excused from voting on this matter.

Supervisor Daly, seconded by Supervisor Ammiano, moved to continue the appointments of David Sahagun and Jordanna Thigpen to March 9, 2004.

Motion failed by the following vote:
Ayes: 5 - Alioto-Pier, Ammiano, Daly, Maxwell, Peskin
Noes : 5 - Dufty, Gonzalez, Hall, Ma, Sandoval
Excused: 1 - McGoldrick

Supervisor Daly, seconded by Supervisor Peskin, moved to amend by deleting "the names of David Sahagun and Jordanna Thigpen" and replacing with "the names of Luis Grandos and Philip DeAndrade" to the Small Business Commission.

Motion failed by the following vote:
Ayes: 4 - Ammiano, Daly, Peskin, Sandoval
Noes: 6 - Alioto-Pier, Dufty, Gonzalez, Hall, Ma, Maxwell
Excused: 1 - McGoldrick

Supervisor Gonzalez requested to be added as sponsor.

DIVIDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

Motion appointing Michael O'Connor, term ending date to be determined, to the Small Business Commission.

Motion No. M04-23

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

040237 **[Appointment - Small Business Commission]**
Supervisor Gonzalez

Motion appointing David Sahagun and Jordanna Thigpen, term ending dates to be determined, to the Small Business Commission.

Divided from File No. 031920
Supervisor Gonzalez requested to be added as sponsor.

Motion No. M04-30

APPROVED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

031934 **[City-owned cars assigned to the District Attorney]**
Supervisors Peskin, Dufty

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

031937 **[City Hall - City Hall Preservation Advisory Commission]**
Supervisors Peskin, Hall, Dufty

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

040104 **[Power Plant Task Force]**
Supervisor Maxwell

Resolution modifying the Power Plant Task Force by specifying the appointment process for Task Force membership and extending the expiration date of the Task Force from November 1, 2003 to November 1, 2005.

Resolution No. 119-04

ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Excused: 2 - Maxwell, McGoldrick

032004 **[Support HR 3171 and SB 1552]**
Supervisors McGoldrick, Gonzalez, Daly

Resolution supporting HR 3171 and SB 1552, amending the USA PATRIOT Act.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 136-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Sandoval, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

Privilege of the Floor

Recognition of African Americans During Black History Month

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Will Page Reno, "Mayor of Broad Street" in recognition of his community involvement.

Supervisor Daly introduced, welcomed and presented a Certificate of Honor to Ms. Elizabeth Glover in recognition of her outstanding career as a teacher in the SFUSD.

Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to James Collins in recognition of his community activism as an African American.

Supervisor Dufty introduced, welcomed and recognized the staff of various City Departments: Bill Lee, City Administrator, County Clerk's Office, Asssessor's Office, Sheriff Michael Hennessy, Treasurer, Susan Leal, Controller Ed Harrington, Mayor's Office of Neighborhood Services in recognition of the hard work involved in the issuing of marriage certificates for same sex marriages. Supervisor Ammiano expressed his gratitude to all City Departments.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Vernon Jenkins; general issues
Patrick Monette; budget issues non-profit
Jess Gumbay; issues regarding being robbed
Lenore Anderson, Juvenile Justice; support of Item 41
Barbara Moyer; homeless non-profit budget issues
John; same sex issues
Jeff Adachi, Public Defender; support of Item 41
Gwendolyn Tucker, Chief Probation Officer, Juvenile Probation; support of Item 41
Bruce Alverson; homeless issues
Esquire Chambers; homeless issues
Stephen Chester; homeless coalition; homeless issues
Female speaker; traffic issues
Chenel Williams, Youth Commissioner; support of Item 41
Richard Marquiz; support of Item 41
Louise Vaughn; youth violence
Catherine Perry; equality issues
Ignaciao Nunez; Shanti Project budget issues
Sharon Hewitt; reported another murder in Southeast Corner
Donald Sanders, Director of Log Cabin Ranch; support of Items 41 and 44
Youth Commissoner, Justice Committee Member; support of Item 41
Eduardo; same sex marriage issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040202 **[California Youth Authority]**
Supervisors Ammiano, Maxwell, Daly, Sandoval, McGoldrick, Ma, Dufty, Gonzalez

Resolution urging the San Francisco Trial Courts, District Attorney, Juvenile Probation Department and Public Defender not to sentence or cause to be sentenced, any person to the California Youth Authority (CYA) unless a CYA commitment is required by law.

Supervisors Dufty and Gonzalez requested to be added as co-sponsors.

Resolution No. 138-04
ADOPTED

040204 **[Commending Chris Cunnie]**
Supervisors Dufty, Alioto-Pier, Ammiano, Daly, Ma, Maxwell, Peskin, Sandoval

Resolution commending Officer Chris Cunnie for his leadership and dedication to the San Francisco Police Officers' Association, for serving as its President for seven years, forging positive community relationships throughout San Francisco, and for improved working conditions.

Resolution No. 134-04
ADOPTED

040205 **[Commending Log Cabin Ranch School]**
Supervisors Maxwell, Ma, Dufty, Alioto-Pier, Daly

Resolution commending Log Cabin Ranch School and urging the Mayor's Office of Budget to ensure resources remain available to allow for the continued vitality of this critical program.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 107-04
ADOPTED

040206 **[Commending Dr. Dorothy Height]**
Supervisors Maxwell, Dufty

Resolution commending Dr. Dorothy Height and declaring February 15, 2004 "Dr. Dorothy Height Day" in the City and County of San Francisco.

Resolution No. 133-04
ADOPTED

040207 **[Recognizing February 15-21, 2004 as National Black Family Technology Awareness Week]**
Supervisors Maxwell, Dufty

Resolution recognizing February 15-21, 2004 as National Black Family Technology Awareness Week and commending IBM, the Career Communications Group and its local partners at the San Francisco Unified School District and Zeum in hosting forums to highlight this issue.

Resolution No. 132-04
ADOPTED

040208 **[Extending the term of the Biosciences Task Force to October 22, 2004]**
Supervisor Maxwell

Resolution extending the term of the Biosciences Task Force from April 22, 2004 to October 22, 2004.

Resolution No. 131-04
ADOPTED

040209 **[Alan O. Friedland Pump]**
Supervisor Peskin

Resolution urging the San Francisco Public Utilities Commission to name the North Shore Pump Station The Alan O. Friedland Pump Station in honor of Mr. Friedland's many contributions to the City and County of San Francisco and designate February 27, 2004 as Alan O. Friedland Day.

Resolution No. 130-04
ADOPTED

040210 **[Proposition K Transition Plan Call for Projects]**
Supervisor Sandoval

Resolution urging the City's Department of Parking and Traffic, the Department of Public Health, the Police Department and other relevant departments and agencies to apply for funding under the Proposition K Transition Plan.

Resolution No. 129-04
ADOPTED

040211 **[Commending Dr. Raymond K.Y. Li]**
Supervisors Sandoval, Ma, Dufty, Peskin

Resolution commending Dr. Raymond K.Y. Li for his contributions to health services for the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 128-04
ADOPTED

040212 **[Commending Ross Shoaf]**
Supervisor Sandoval

Resolution commending Ross Shoaf for his tireless efforts to improve the flow of traffic and his work on other transportation issues within San Francisco, and for extending his talents to other metropolitan areas.

Resolution No. 127-04
ADOPTED

040214 **[Commending Thomas Ng]**
Supervisors Sandoval, Ma, Dufty, Peskin, Gonzalez

Resolution commending Thomas Ng for his numerous contributions to the Chinese community and recent appointment to the Board of Trustees for Chinese Hospital.

Supervisors Peskin and Gonzalez requested to be added as co-sponsors.

Resolution No. 126-04
ADOPTED

040180 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)

Motion No. M04-25
APPROVED

040198 **[Final Map for a 29 Unit a Commercial/Residential Condominium Project - 900 Van Ness Avenue]**
Motion approving Final Map of 900 Van Ness Avenue, a Commercial/ Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 718 and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,664; District 6.)

Motion No. M04-27
APPROVED

040199 **[Final Map for a 12 Unit Mixed/Use Condominium Project - 800 Innes Avenue]**
Motion approving Final Map of 800 Innes Avenue, a Mixed/Use Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 4645, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,653; District 10.)

Motion No. M04-28
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from Without Reference to Committee

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

040201 **[Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]**
Supervisors Ammiano, Dufty, Daly, Gonzalez

Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.

Continued to March 9, 2004

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Hall requested that this matter be severed so that it could be considered separately.

040203 **[Urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month, and reaffirming S.F.'s commitment to diversity]**
Supervisor Daly

Resolution urging the City Librarian to remove the "European Americans Among Us" exhibit being displayed during Black History Month pending review by the Library Commission and Human Rights Commission of the appropriateness and compatibility of this exhibit, and reaffirming the City and County of San Francisco's commitment to racial and ethnic diversity.

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

040185 **[Extending Time for Negotiations]**
Supervisor Peskin

Motion extending time for negotiations pursuant to Charter Section 11.100.

Supervisor Peskin requested that this matter be severed so that this matter could be considered separately. Supervisor Peskin, seconded by Supervisor Ammiano, moved to amend on page 2, line 4, to replace "shall be" with "should" and by deleting "on or about June 1, 2004".

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

Motion No. M04-26

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031878 **[Establishing an Alternative Affordable Housing and Home Ownership Bond Program]**
Supervisor Sandoval

Ordinance amending the San Francisco Administrative Code by adding a new Article IIIA, consisting of Sections 43.3A.1 through 43.3A.24 to establish an alternative affordable housing assistance and home ownership bond program.

11/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/18/2003.

2/24/04, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title, and approved as to form.

2/24/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/25/2004.

040145 **[Zoning Map Amendment - Second Street between South Park and Townsend Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 1H, to change the height and bulk district designations of Assessor's Block 3775, Lots 007 and 008, on the western side of Second Street between South Park and Townsend Streets from 40-X to 65-X, and adopting findings.

2/9/04, REFERRED TO DEPARTMENT. Referred to City Attorney for approval as to form.

2/24/04, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing new title.

2/24/04, RECEIVED AND ASSIGNED to Land Use Committee.

2/24/04, ASSIGNED to Land Use Committee.

040233 **[Prohibition on biometric imaging as a form of identification unless otherwise required by state law, federal law, or by local voter initiative]**
Supervisors Daly, Ammiano, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding a new section 20.35 to prohibit City Departments and contractors from biometric imaging individuals as a form of identification unless otherwise required by state law, federal law, or local voter initiative; amending the Administrative Code by repealing sections 20.75.15, 20.105.11, and 20.205.15 which require fingerprinting as a condition of aid eligibility in the Personal Assisted Employment Services Program (PAES), Cash Assistance Linked to Medi-Cal Program (CALM), and the Supplemental Security Income Pending Program (SSIP).

2/24/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 3/25/2004.

040234 **[Ten (10) Most Wanted Suspects Crime Bulletin]**
Supervisor Ma

Ordinance requiring the San Francisco Police Department to issue and post a 10 Most Wanted Suspects Crime Bulletin.
2/24/04, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 3/25/2004.

040235 **[Eliminating renewal fees for police emergency alarm licenses]**
Supervisor Hall

Ordinance amending the San Francisco Police Code, by amending Sections 3707, 3708, 3710.2, 3710.3, 3710.4, 3717, and 3720, to eliminate renewal fees for police emergency alarm licenses.

(Fiscal impact.)
2/24/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040236 **[Community Choice Aggregation Program]**
Supervisors Ammiano, Maxwell, Gonzalez, Peskin, Daly, McGoldrick

Ordinance establishing a Community Choice Aggregation Program in accordance with California Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394, and 394.25, allowing San Francisco to aggregate the electrical load of electricity consumers within San Francisco and to accelerate the introduction of renewable energy, conservation and energy efficiency into San Francisco's portfolio of energy resources.
2/24/04, RECEIVED AND ASSIGNED to City Services Committee.

Resolutions

030409 **[Grants Federal Funds - Municipal Railway]**
Supervisors Dufty, Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)
3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

11/5/03, FILED PURSUANT TO RULE 5.37.

2/24/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Dufty requested this matter be reactivated.

2/24/04, ASSIGNED to City Services Committee.

040238 **[MUNI Biodiesel Pilot Program]**
Supervisors Gonzalez, Daly

Resolution urging MUNI to start a pilot program utilizing biodiesel within the next 8 months, as well as research and adopt the use of biodiesel, a cleaner burning alternative fuel, that will significantly reduce emissions.
2/24/04, RECEIVED AND ASSIGNED to Land Use Committee.

040241 **[Commending Youth Chance High School]**
Supervisor Daly

Resolution commending Youth Chance High School for 25 years of community leadership, educational excellence, and dedicated service to improving the lives of youth in San Francisco.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040244 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending to and including March 15, 2004 the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P(Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040245 **[National Diabetes Month]**
Supervisors Maxwell, Dufty, Hall

Resolution proclaiming the month of February 2004 as National Diabetes Month.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040246 **[Commending the Services and Advocacy for Asian Youth Consortium]**
Supervisors Ma, Hall, Sandoval

Resolution commending the Services and Advocacy for Asian Youth Consortium for their dedication and commitment to the Asian youth community in San Francisco.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040247 **[Commending San Francisco's African Americans Legion Post No. 875]**
Supervisors Ma, Maxwell, Dufty, Hall, Sandoval

Resolution recognizing and commending San Francisco's African Americans Legion Post No. 875 for their dedicated service to the many brave veterans living in the San Francisco Bay Area.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040248 **[Read Aloud Day]**
Supervisors Ma, Dufty, Hall, Sandoval

Resolution declaring March 2, 2004 as "Read Aloud Day" in the City and County of San Francisco.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040249 **[Filipino World War II veterans]**
Supervisors Ma, Dufty, Hall, Peskin, Daly, Sandoval

Resolution urging State Legislators to support Filipino World War II veterans by passing legislation to recognize Filipino combatants as American veterans.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040250 **[High Risk Sex Offender Map]**
Supervisors Hall, Ma

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of registered sex offenders, classified as either "Serious" or High Risk offenders who reside in the City and County of San Francisco.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 2/26/04 - Referred to Youth Commission for comment and recommendation.

040251 **[Proclaiming March 2004 as Social Work Month]**
Supervisors Sandoval, Dufty, Daly

Resolution proclaiming March 2004 as Social Work Month in the City and County of San Francisco.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040252 **[Board of Supervisors Meeting Schedule - Week of May 3, 2004]**
Supervisor Gonzalez

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.
2/24/04, RECEIVED AND ASSIGNED to Rules Committee.

040253 **[Opposing elimination of state guarantees for low-income immigrant access to health and social services]**
Supervisors Ammiano, Daly

Resolution opposing Governor Schwarzenegger's proposals to eliminate state guarantees which ensure that low-income immigrants have access to health and social services.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

040242 **[Fire Department's "light work" designation.]**
Supervisor Sandoval

Hearing on the Fire Department's personnel and budgetary policies as they relate to potential abuses of the "light work" designation.
2/24/04, RECEIVED AND ASSIGNED to Budget Committee.

040243 **[City's implementation plan for Care Not Cash/Real Housing Real Care]**
Supervisor Daly

Hearing on the City's implementation plan for Care Not Cash/Real Housing Real Care.
2/24/04, RECEIVED AND ASSIGNED to City Services Committee.

Motion

040231 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
2/24/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040137 **[Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]**
Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance. (Public Works Department)
2/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

040138 **[Mission Bay – Owens Street and 16th Street Acceptance]**
Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance. (Public Works Department)
2/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

040139 **[Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]**

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance. (Public Works Department)

2/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

040160 **[Settlement of Lawsuit - Maria Trapalis-Baird]**

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for $285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040161 **[Settlement of Lawsuit - Clara Tempongko, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for $500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040163 **[Settlement of Lawsuits and Assessment Appeals]**

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed $1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

2/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040167 **[Market Street Truck Loading Bays]**

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets. (Parking and Traffic Department)

2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040168 **[Modification of traffic regulations at Oak and Laguna Streets]**
Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040169 **[Modification of traffic regulations at the intersection of Fell and Laguna Streets]**
Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

040164 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
31st Avenue and Rivera Street, stopping 31st Avenue, making this intersection an all-way STOP; and Newcomb and Toland Streets, stopping Newcomb Street, making this uncontrolled intersection a two-way STOP. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040165 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Missouri Street, both sides, between 20th and 22nd Streets (500 and 600 blocks); and
Sierra Street, north side, between Missouri and Texas Streets.
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly;
Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street (extends existing 35-foot zone by an additional 50 feet); and
Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ellis Street, south side, from Laguna Street to 350 feet westerly (legislates existing conditions);
Waller Street, north side, from Divisadero Street to Broderick Street (legislates existing conditions); and
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus (unit block).

NO PARKING ANYTIME - RESCIND
NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Nido Avenue, west side, between Turk and Vega Streets; and
Vega Street, north side, between Anza Vista and Nido Avenues.

TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY - RESCIND
10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY - RESCIND
PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) - EXTEND
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY - ESTABLISH
3rd Street, both sides, from Mission to Market Streets; and
3rd Street, west side, from Howard to Mission Streets. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040166 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

TWO-WAY STREET - ESTABLISH
Laguna Street, between Fell and Oak Streets.

RIGHT TURN ONLY - REVOKE
Laguna Street, southbound at Fell Street; and
Laguna Street, northbound at Oak Street. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)
2/11/04, RECEIVED AND ASSIGNED to Land Use Committee.

040170 **[Provide nutrition education in community settings to low-income families in San Francisco]**
Supervisor Sandoval

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004. (Public Health Department)
2/12/04, RECEIVED AND ASSIGNED to City Services Committee.

040182 **[Improve working conditions for day laborers in the San Francisco Mission District]**
Supervisor Gonzalez

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of $212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)
2/10/04, RECEIVED AND ASSIGNED to City Services Committee.

Requests Granted

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting traffic studies at the following intersections: Goettingen and Wilde Street and Tioga and Alpha Street. Residents in this area have been plagued with young drivers using these intersections as recreational areas; performing stunts such as donut spins in the early hours of the morning. Please consider placing a temporary traffic circle in place to prevent further abuse at these intersections while exploring permanent solutions for them.

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting status report on plans to address traffic concerns at the intersection of Bayshore Boulevard and Blanken Avenue.

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report whether pedestrian crossing measures such as the one on Dr. Carlton B. Goodlett Place can be implemented at the intersection of Felton and San Bruno Avenue. Pedestrians in this area fear for their life on a daily basis crossing this intersection. Since a STOP sign is not appropriate, Supervisor Maxwell asks the Department to consider alternative measures such as the ones here at City Hall.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation requiring catering trucks to park no closer than two blocks from San Francisco Unified School District sites.

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of implementing a traffic calming solution, such as speed bumps, on Orizaba Avenue, between Randolph Street and Montana Street.
CC: Paula Smith, 331 Orizaba Avenue, San Francisco, CA 94132

From: Supervisor Dufty
To: City Attorney
Requesting/Inquiring: To draft legislation amending Planning Code regarding demolition of residential buildings upon the following: one-for-one replacement of existing units is provided and offered to existing tenants at comparable rents; and interim displacement of existing tenants during construction is restricted.

From: Supervisor Sandoval
To: Chief, Fire Department
Requesting/Inquiring: To notify the Chief of the Fire Department that a committee hearing has been called to inquire into the Fire Department's personnel and budgetary policies as they relate to potential abuses of the "light work" designation; hearing to be scheduled in the near future.

From: Supervisor Ammiano
To: Chancellor, City College
Requesting/Inquiring: Inquiring whether an official City College representative will testify at the Planning Commission meeting regarding landmark status for the New Mission Theater, and requesting any Board of Trustees adopted policy on landmark status for the theater. (See attached.)

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lenard D. Louie (Entire Board)
Gilberto Novoa (Supervisor Ammiano)
Ruth Perez (Supervisor Gonzalez)
Jeanne Honda (Supervisor Ma)
Jean Anderson (Supervisor Ma)
Alan O. Friedland (Supervisor Peskin)
Jerry Stoll (Supervisor Sandoval)
Nate Ratner (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 6:00 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 23, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

AUG - 6 2004

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 9, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	1:00 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Chris Daly, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Ammiano, Dufty and Alioto-Pier were noted absent.

Quorum present.

Supervisors Ammiano and Dufty were previously excused from attending today's meeting. (See Infra)

Supervisor Alioto-Pier was noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved to approve February 10, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Supervisors Ammiano and Dufty Excused from Attendance

Supervisor Peskin, seconded by Supervisor Daly, moved to excuse from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

AGENDA CHANGES

COMMUNICATIONS

The Clerk of the Board presented a communication from his Honor, the Mayor, returning with his veto the following Ordinance. (File No. 031739)
Supervisor Daly requested that consideration of the Mayor's veto be considered at the March 30, 2004 Board meeting.

President Gonzalez requested the Clerk of the Board to calendar this matter for consideration at the March 30, 2004 Board meeting.

CONSENT AGENDA

Recommendations of the City Services Committee

040055 **[Fees for regulation of mobile storage containers on the public right-of-way]**
Supervisors Peskin, Daly

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

Ordinance No. 36-04
FINALLY PASSED

040170 **[Provide nutrition education in community settings to low-income families in San Francisco]**
Supervisor Sandoval

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $99,908 from the California Department of Health Services (CDHS) to provide nutrition education in community settings to low-income families in San Francisco and to enter into an agreement for the use of these funds; for the period of January 1, 2004, to September 30, 2004. (Public Health Department)

Supervisor Sandoval requested to be added as a sponsor.
Resolution No. 147-04
ADOPTED

Recommendations of the Land Use Committee

040030 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

YIELD SIGN - ESTABLISH
Potrero Avenue/Cesar Chavez Street/Southbound 101 Off-Ramp at Bayshore Boulevard, southbound (eastbound).

NO TURN ON RED - ESTABLISH
Market Street, westbound, at Davis and Pine Streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Clay Street, eastbound, at Davis Street.

RIGHT TURN ONLY - ESTABLISH
Fowler Avenue, southbound, at Teresita Boulevard.

YIELD SIGN - ESTABLISH
Teresita Boulevard, southbound, at Fowler Avenue.

NO RIGHT TURN ON RED INTO MARKET STREET - RESCIND
NO RIGHT TURN ON RED - ESTABLISH
Castro Street, northbound, at Market Street.

NO TURN ON FLASHING RED - RESCIND
NO TURN ON RED - ESTABLISH
Church Street, northbound, at Market Street. (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Resolution No. 143-04
ADOPTED

040130 **[Grant of Federal Funds]**

Resolution authorizing the Municipal Transportation Agency to accept and expend $2,441,395 of United States Department of Justice, 2003 Urban Area Security Initiative grant funds to develop and implement security enhancements for the San Francisco Municipal Railway. (Municipal Transportation Agency)

Resolution No. 146-04
ADOPTED

Recommendations of the Rules Committee

030423 **[Establishing the powers and duties of the Small Business Commission]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(No fiscal impact; Companion measure to File 030426.)

Ordinance No. 33-04
FINALLY PASSED

031934 **[City-owned cars assigned to the District Attorney]**
Supervisors Peskin, Dufty

Ordinance amending Administrative Code Section 4.11 to include employees of the District Attorney's Office in the category of employees who may drive city-owned vehicles to and from their residence and to limit the number of such vehicles assigned to the District Attorney to eight (8).

Ordinance No. 35-04
FINALLY PASSED

031937 **[City Hall - City Hall Preservation Advisory Commission]**
Supervisors Peskin, Hall, Dufty

Ordinance amending the San Francisco Administrative Code to add Section 5.240 establishing the City Hall Preservation Advisory Commission.

Ordinance No. 40-04
FINALLY PASSED

040080 **[Settlement of Lawsuit - Sofia Rillanos]**
Ordinance authorizing settlement of the lawsuit filed by Sofia Rillanos against the City and County of San Francisco for $80,000; the lawsuit was filed on March 23, 2003 in San Francisco Superior Court, Case No. 418-598; entitled Sofia Rillanos v. City and County of San Francisco, et al; other material terms of said settlement are that plaintiff is to seek a non-disability-related retirement with the San Francisco Employees' Retirement System within three days of the date the settlement amount is paid. (City Attorney)

Ordinance No. 37-04
FINALLY PASSED

040081 **[Settlement of Lawsuit - Katherine Cox]**
Ordinance authorizing settlement of the lawsuit filed by Katherine Cox against the City and County of San Francisco for $200,000.00; the lawsuit was filed on September 3, 2002 in San Francisco Superior Court, Case No. 412117; entitled Katherine Cox, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 38-04
FINALLY PASSED

040131 **[Settlement of Lawsuit - Michelle Asami]**

Ordinance authorizing settlement of the lawsuit filed by Michelle Asami against the City and County of San Francisco for $43,900; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 415-098; entitled Michelle Asami, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 39-04
FINALLY PASSED

040163 **[Settlement of Lawsuits and Assessment Appeals]**

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed $1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

PASSED, ON FIRST READING

040086 **[Appointment - Mental Health Board]**

Resolution appointing Robert Douglas, Carol Knight and Rebecca Ann Turner, term ending January 31, 2007 to the Mental Health Board.

Robert Douglas, succeeding himself, term expired, seat 13, must be a family member, for a three year term ending January 31, 2007.
Carol Knight, succeeding herself, term expired, seat 14, must be a family member, for a three year term ending January 31, 2007.
Rebecca Turner, succeeding herself, term expired, seat 15, must be a health professional, for a three year term ending January 31, 2007.

Resolution No. 145-04
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Severed From the Consent Agenda

Supervisor Daly requested that this matter be severed so that it could be considered separately.

040182 **[Improve working conditions for day laborers in the San Francisco Mission District]**
Supervisor Gonzalez

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of $212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

Continued to March 16, 2004

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Supervisor Sandoval requested that this matter be severed so that it could be considered separately.

040028 **[STOP Intersections]**
Supervisor Sandoval

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
22nd Avenue and Pacheco Street, stopping Pacheco Street, making this intersection an All-Way STOP; and Niagara and San Jose Avenues, stopping San Jose Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Supervisor Sandoval requested to be added as sponsor.

Resolution No. 141-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

031879 **[Residential Rent Ordinance-Keys]**
Supervisors Daly, Gonzalez

Ordinance amending Administrative Code Chapter 37 ("Residential Rent Stabilization and Arbitration Ordinance") by renumbering existing Section 37.13 as 37.14 and renumbering existing Section 37.14 as 37.15, and by adding new Section 37.13 to provide that: each adult occupant is entitled to a minimum of one key/key-set for the rental unit without charge; upon written request for extra keys/key-sets stating the reason(s) (e.g., for the convenience of the occupant, such as admitting a service provider or a delivery person or a houseguest) a landlord shall provide the requested extra keys/key-sets unless within 14 days the landlord denies the request in writing as unreasonable (e.g., due to unlawful occupancy or a pattern of lease violation); a request for an extra key/key-set may only be denied for good reason; unreasonable denial of an extra key/key-set constitutes a decrease in housing services; and, a tenant may file a petition for hearing on a disputed request for an extra key/key-set, which shall be decided by an Administrative Law Judge (ALJ), with the ALJ decision appealable to the Rent Board.

Ordinance No. 34-04
FINALLY PASSED by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Excused: 2 - Ammiano, Dufty

NEW BUSINESS

Recommendation of the Budget Committee

031983 **[Redevelopment Agency Budget]**
Mayor, Supervisor Daly

Resolution (1) authorizing the issuance of refunding and capital improvement bonds in one or more series by the City and County of San Francisco Redevelopment Financing Authority in an amount not to exceed $90,000,000 to refinance indebtedness previously issued in 1993 and 1996 and provide additional funds for affordable housing; (2) approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004, by increasing the Agency's tax increment receipts in an amount not to exceed $3,373,160 to provide funds for payment of such amount to the Educational Revenue and Augmentation Fund, authorizing the receipt of approximately $10,000,000 from the sale of tax allocation refunding and capital improvement revenue bonds and also increasing the Agency's expenditure authority in an amount not to exceed $13,373,160 to enable the Agency's payment of $3,373,160 to the Education Revenue and Augmentation Fund and expenditure of bond proceeds in the amount of approximately $10,000,000 for affordable housing and related purposes; and (3) authorizing execution of a Cooperation Agreement with the Redevelopment Agency of the City and County of San Francisco that provides for the Agency's payment of $1,912,094 to the City and County of San Francisco from the proceeds of bonds to be issued in 2004, such amount to constitute the Agency's deposit towards the purchase of one or more underutilized sites to be conveyed to the Agency for affordable housing.

(Fiscal impact.)

Resolution No. 139-04
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Recommendations of the City Services Committee

032029 **[Extended Hours Permits]**
Supervisors Dufty, Daly, Ammiano, Gonzalez

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

Continued to March 16, 2004
Supervisor Daly requested to be added as a co-sponsor.
Supervisor Ma, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040192 **[Accept-Expend State Grant]**
Supervisors Alioto-Pier, Hall

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $1,824,467 from the California Governor's Office of Homeland Security for emergency response equipment, training, and exercises.

Supervisor Hall requested to be added as a co-sponsor.
Resolution No. 148-04
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Recommendations of the Land Use Committee

031151 **[Creating the Divisadero Street Alcohol Restricted Use District]**
Supervisor Gonzalez

Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

[No fiscal impact.]

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040031 **[Modification of parking regulations on portions of Mission Street]**

Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040032 **[Modification of traffic regulations on portions of Mission Street]**

Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040074 **[Speed Limit - Portion of Octavia Boulevard]**

Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040075 **[Speed Limit - Portion of Octavia Frontage Road]**

Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

040029 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Cesar Chavez Street, north side, between Illinois and Michigan Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Donner Avenue, west side, from Phelps Street to easterly terminus (legislates existing parking conditions);
Donner Avenue, east side, from 50 feet south of Phelps Street to easterly terminus; and
Pacific Avenue, south side, between Lyon Street and Presidio Avenue (legislates existing parking conditions).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Hayes Street, north side, within the nine foot curb space between the driveways of 1448 and 1450 Hayes Street, west of Broderick Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
1673 Page Street, between the driveways for 1669 and 1673 Page Street (11-foot space). (Parking and Traffic Department)

(1/8/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2744.)

Resolution No. 142-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

Recommendation of the Rules Committee

032057 **[Appointment - Elections Commission]**

Resolution appointing Gerard Gleason, term ending January 1, 2009, to the Elections Commission.

Gerard Gleason, succeeding Thomas Schulz, term expired, seat 1, must be representative of the general public for a five year term ending January 1, 2009.

Resolution No. 140-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

040188 **[Hearing - Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)

Olsen Lee, SF Redevelopment Agency representative reviewed the Ground Lease plan with the Board members.

The President inquired if any members of the public wished to comment.
Speakers:
Ms. Garcia; support of ground lease
The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

040187 **[Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.

(Fiscal impact.)

Continued to March 16, 2004

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Alioto-Pier, Ma, McGoldrick, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Maxwell
Absent: 1 - Hall
Excused: 2 - Ammiano, Dufty

Recess

The Board recessed at the hour of 3:23 p.m.

Reconvening of the Board

The Board at the hour of 3:36 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval - 7

Quorum present.

Supervisor Peskin noted absent at 3:36 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval
Absent: 2 - Hall, Peskin
Excused: 2 - Ammiano, Dufty

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Steve Shoaf on behalf of his late uncle Ross Shoaf, Traffic Engineer of the SF City and County for his contributions in the field of traffic engineering.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Kamala Harris, District Attorney for her community involvement in recognition of Black History Month.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to members of Peer Court students from Visitation Valley Middle School.

COMMITTEE REPORTS

Recommendation of the City Services Committee

040058 **[Economic Opportunity Council]**
Supervisors Daly, Peskin, Ma, Dufty, Alioto-Pier, Sandoval, Gonzalez

Resolution urging the Economic Opportunity Council of San Francisco to immediately restore the supplemental nutrition distribution system sites to serve the needs of San Francisco seniors.

Supervisors Sandoval and Gonzalez requested to be added as co-sponsors.

Resolution No. 144-04

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; homeless issues
Jim Corrigan; SF Fire Department issues
Male Speaker; environmental issues
Jack Dodson; SF homeownership ratio
Mildred Thomas; crime and violence zero tolerance reduction
Female Speaker; personal housing issues
Roger Ryan; evicted from hotel
Male Speaker; privately developed condominium

Supervisor Hall noted absent at 3:02 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040201 **[Commending the Massachusetts Supreme Judicial Court Decision on Same-Sex Marriage]**
Supervisors Ammiano, Dufty, Daly, Gonzalez

Resolution commending the Massachusetts Supreme Judicial Court for its landmark decision affirming the rights of lesbians and gays to marry.

Resolution No. 149-04
ADOPTED

040241 **[Commending Youth Chance High School]**
Supervisor Daly

Resolution commending Youth Chance High School for 25 years of community leadership, educational excellence, and dedicated service to improving the lives of youth in San Francisco.

Resolution No. 150-04
ADOPTED

040244 **[Extension of Planning Commission Review Period]**
Supervisor Peskin

Resolution extending to and including March 15, 2004 the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 128 to allow a City-owned landmark in a P(Public) zoning district that is adjacent to properties zoned C-3 (Downtown Commercial) to sell Transferable Development Rights and by amending Section 149 to authorize the landmark to receive artwork contributions in order to finance rehabilitation and restoration of the exterior of the property.

Resolution No. 151-04
ADOPTED

040245 **[National Diabetes Month]**
Supervisors Maxwell, Dufty, Hall

Resolution proclaiming the month of February 2004 as National Diabetes Month.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 152-04
ADOPTED

040246 **[Commending the Services and Advocacy for Asian Youth Consortium]**
Supervisors Ma, Hall, Sandoval

Resolution commending the Services and Advocacy for Asian Youth Consortium for their dedication and commitment to the Asian youth community in San Francisco.

Supervisors Hall and Sandoval requested to be added as co-sponsors.

Resolution No. 153-04
ADOPTED

040247 **[Commending San Francisco's African Americans Legion Post No. 875]**
Supervisors Ma, Maxwell, Dufty, Hall, Sandoval

Resolution recognizing and commending San Francisco's African Americans Legion Post No. 875 for their dedicated service to the many brave veterans living in the San Francisco Bay Area.

Supervisors Hall and Sandoval requested to be added as co-sponsors.

Resolution No. 154-04
ADOPTED

040248 **[Read Aloud Day]**
Supervisors Ma, Dufty, Hall, Sandoval

Resolution declaring March 2, 2004 as "Read Aloud Day" in the City and County of San Francisco.

Supervisors Hall and Sandoval requested to be added as co-sponsors.

Resolution No. 155-04
ADOPTED

040249 **[Filipino World War II veterans]**
Supervisors Ma, Dufty, Hall, Peskin, Daly, Sandoval

Resolution urging State Legislators to support Filipino World War II veterans by passing legislation to recognize Filipino combatants as American veterans.

Supervisors Hall, Peskin, Daly and Sandoval requested to be added as co-sponsors.

Resolution No. 156-04
ADOPTED

040251 **[Proclaiming March 2004 as Social Work Month]**
Supervisors Sandoval, Dufty, Daly

Resolution proclaiming March 2004 as Social Work Month in the City and County of San Francisco.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 157-04
ADOPTED

040253 **[Opposing elimination of state guarantees for low-income immigrant access to health and social services]**
Supervisors Ammiano, Daly

Resolution opposing Governor Schwarzenegger's proposals to eliminate state guarantees which ensure that low-income immigrants have access to health and social services.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 158-04
ADOPTED

040221 **[Final Map for a 29 Unit Live/Work Condominium Project - 1221 Harrison Street]**
Motion approving Final Map of 1221 Harrison Street, A Live/Work Condominium Project, being a subdivision of Lot 71 in Assessor's Block No. 3757, and adopting findings pursuant to Planning Code Section 101.1.

(DPW Order No. 174,686; District 6.)

Motion No. M04-31
APPROVED

040231 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-32
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Alioto-Pier, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Hall
Excused: 2 - Ammiano, Dufty

Severd From Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

040250 **[High Risk Sex Offender Map]**
Supervisors Hall, Ma

Resolution urging the San Francisco Police Department to provide on their website the general whereabouts of registered sex offenders, classified as either "Serious" or High Risk offenders who reside in the City and County of San Francisco.

Supervisor Daly requested that this matter be referred to Committee.
REFERRED to the City Services Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

040272 **[Public Employment]**
Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the deletion of 189.90 positions in the following departments: Administrative Services, Adult Probation, Adult and Aging Services, Airport, Assessor, Convention Facilities, Emergency Communications, Environment, Human Resources, Juvenile Probation, Municipal Transportation Agency, Police, Public Health, Recreation and Park, Sheriff and Telecommunication and Information Services. (Municipal Transportation Agency)
3/9/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040274 **[Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures before Assessment Appeals Board]**
Supervisors Daly, Maxwell, McGoldrick

Ordinance amending the San Francisco Administrative Code by adding Sections 2B.21 and 2B.22 to Chapter 2B to provide Production and Inspection Demand Procedures and Pre-Hearing Conference Procedures for proceedings before the Assessment Appeals Boards.
3/9/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/8/2004.

021505 **[Ordinance adding Section 21.25-3 to the Administrative Code]**
Supervisors Ammiano, Daly

Ordinance adding Section 21.25-3 to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.
8/26/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/25/2002.
9/13/02, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.
2/5/03, TRANSFERRED to Finance and Audits Committee. New committee structure 2/17/03.
8/28/03, FILED PURSUANT TO RULE 5.37.
3/9/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Daly requested this matter be reactivated.
3/9/04, ASSIGNED to Finance and Audits Committee.

031463 **[Zoning - Large-scale Retail Use]**
Supervisors Ammiano, Dufty, Gonzalez

Ordinance amending the Planning Code to add section 121.6 to impose a City-wide conditional use requirement for large-scale retail uses in excess of 50,000 gross square feet, to prohibit such uses if they are in excess of 120,000 gross square feet in any zone other than the C-3 zones, and to prohibit specified large-scale retail uses in excess of 120,000 gross square feet in the C-3 zones; amending Planning Code section 303 to add findings for the abovementioned uses concerning active street frontage patterns and mixed-use building opportunities; making findings of consistency with the General Plan and Planning Code section 101.1(b); and exempting from this legislation those uses for which the City received a building permit prior to the date of this ordinance's introduction.

8/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/19/2003. .

8/26/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

12/2/03, RESPONSE RECEIVED. Planning Commission Resolution No. 16690, adopted November 20, 2003, recommending that the Board of Supervisors not adopt proposed ordinance, but instead craft a new single piece of legislation that combines elements of this ordinance and proposed ordinance contained in File 031239. Received Certificate of Exemption From Environmental Review dated September 4, 2003.

1/27/04, REFERRED TO DEPARTMENT. Referred to Small Business Commission.

3/9/04, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

3/9/04, ASSIGNED to Land Use Committee.

Resolutions

040273 **[Instant Runoff Voting]**
Supervisor Gonzalez

Resolution invoking section 19211 of the California Elections code to experimentally adopt the use of modified voting equipment, and urging the Department of Elections and Elections Commission to begin all preparations for using instant runoff voting this November 2004 and to immediately commence public education and outreach.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040275 **[Establishing Task Force - Passenger Cruise Industry]**
Supervisors Alioto-Pier, Peskin

Resolution establishing a civic task force to develop and market San Francisco to the Passenger Cruise industry.

3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040276 **[Supporting OURx Bill of Rights]**
Supervisors Peskin, Sandoval, Ma, Dufty, Hall

Resolution supporting the Senior Action Network's OURx Bill of Rights and urging the California State Legislature to approve the legislative package.

3/9/04, RECEIVED AND ASSIGNED to City Services Committee.

040279 **[Extension of Planning Commission Review Period - 690 Market Street]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040283 **[Confirming the Appointment of Ann Blumlein Lazarus to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.
3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040284 **[Contract funds to evaluate the impact of a resource center for drug users]**
Supervisors Peskin, Dufty, Gonzalez

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of $4,697 to provide research evaluation services; for the period of July 1, 2003 to June 30, 2004.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040286 **[Arts Education Month]**
Supervisors Ammiano, Dufty

Resolution declaring March 2004 as Arts Education Month in San Francisco.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040287 **[Greenhouse Gases]**
Supervisors Daly, McGoldrick, Gonzalez

Resolution urging the California Air Resources Board to adopt the strongest possible regulations to reduce greenhouse gases emitted by passenger vehicles pursuant to AB 1493 (Pavley), and recommends that the California Legislature endorse such regulations to protect the health of the state's economy and its people.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040288 **[Urging United States Senate to restore Earned Income Tax Credit funding]**
Supervisors Daly, Dufty, McGoldrick, Gonzalez

Resolution urging the United States Senate to restore funding for the Earned Income Tax Credit program; directing the Clerk of the Board to send the request to Senators Dianne Feinstein and Barbara Boxer.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040289 **[Rename Geary Street between Taylor and Mason Streets "Saroyan Way"]**
Supervisors Daly, Peskin, Gonzalez

Resolution renaming Geary Street between Taylor and Mason Streets "Saroyan Way" for the period between March 24 and April 30, 2004 and urging the San Francisco Department of Public Works to work with American Conservatory Theater to place appropriate signage.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040290 **[Continuation of higher cap on gate fees charged taxi drivers]**
Supervisor Hall

Resolution extending the date for enacting ordinances to prevent expiration of higher cap on gate fees charged taxi drivers.

(Companion measure to File 020678.)
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040291 **[Unidentified Victims]**
Supervisor Hall

Resolution urging the San Francisco Medical Examiner's Office to provide sketches and profiles on their website of deceased individuals who have not been identified since 1975; and to provide the available information on request.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040292 **[Commemorating the One Year Anniversary of the Asian Art Museum]**
Supervisors Ma, Dufty, McGoldrick, Sandoval, Hall

Resolution commemorating the one year anniversary of the Asian Art Museum at its new Civic Center home.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040293 **[Commemorating Brown v. Board of Education]**
Supervisors Maxwell, Dufty, McGoldrick, Sandoval, Peskin

Resolution commemorating Brown v. Board of Education statewide celebration May 3rd and 4th 2004.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040294 **[Regulate the use of remote control locomotives]**
Supervisor Maxwell

Resolution urging the California Public Utilities Commission and the Federal Railroad Administration to adopt regulations to ensure that the safety of the citizens of the City and County of San Francisco is not at risk due to the use of remote control locomotives.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040295 **[Housing for Foster Youth]**
Supervisors Maxwell, Dufty, McGoldrick

Resolution supporting the Transitional Housing for Foster Youth Fund to provide safe, affordable housing and supportive services to emancipated foster youth.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040296 **[Armenian Genocide Commemoration Day]**
Supervisors Peskin, Hall, Daly, Maxwell, Sandoval, Gonzalez, Alioto-Pier, McGoldrick

Resolution declaring April 24, 2004 Armenian Genocide Commemoration Day in San Francisco.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040297 **[Robert Anino Estate]**
Supervisors Peskin, Hall, Gonzalez

Resolution accepting a $100,000 bequest from the Estate of Robert Anino for the design, construction, placement and maintenance of a monument to composer Johann Strauss, Jr. and urging the Fine Arts Museums Board of Trustees to accept and administer such bequest in accordance with the gift restrictions.
3/9/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearings

040277 **[Flooding on the Embarcadero, SOMA, and throughout Districts 3 and 6]**
Supervisors Daly, Peskin

Hearing to consider the recent flooding on the Embarcadero, in the South of Market throughout Districts 3 and 6, including: (1) Damage to residential and commercial properties; (2) Environmental damage caused to San Francisco Bay; (3) Response of the Department of Public Works and the Public Utilities Commission; and (4) Future planning to prevent similar occurrences.
3/9/04, RECEIVED AND ASSIGNED to City Services Committee.

040278 **[Department of Building Inspection "special monitor" position]**
Supervisor Gonzalez

Hearing on the role and responsibilities of the newly-created position of "special monitor" for the Department of Building Inspection and the suitability of Rudy Nothenberg in filling the role.
3/9/04, RECEIVED AND ASSIGNED to Rules Committee.

040280 **[Department of City Planning proposed 2004-05 work plan, efficiency plan, and budget]**
Supervisor McGoldrick

Hearing to consider the proposed 2004-05 work plan, efficiency plan, and budget of the Department of City Planning.
3/9/04, RECEIVED AND ASSIGNED to Budget Committee.

040281 **[Policy on Police pursuits.]**
Supervisor Maxwell

Hearing on the San Francisco Police Department's policy on police pursuits.
3/9/04, RECEIVED AND ASSIGNED to City Services Committee.

040282 **[Recent Flooding]**
Supervisor Sandoval

Hearing to review reports from the Public Utilities Commission, the Department of Public Works, the Department of Building Inspection, and the Office of Emergency Services on the major flooding that occurred on February 25, 2004.
3/9/04, RECEIVED AND ASSIGNED to City Services Committee.

040285 **[Services for Women with Children in Residential Treatment]**
Supervisor Ma

Hearing to identify gaps in services for women with children in residential treatment.
3/9/04, RECEIVED AND ASSIGNED to City Services Committee.

Motions

040222 **[Appointment to Police Commission - Louise Renne]**
Mayor

Motion confirming the Mayor's nomination of, and appointing, Louise Renne to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

040223 **[Appointment to Police Commission - Douglas Chan]**
Mayor

Motion confirming the Mayor's nomination of, and appointing, Douglas Chan to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.
3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

040224 **[Appointment to Police Commission - Joseph Veronese]**
Mayor

Motion confirming the Mayor's nomination of, and appointing, Joseph Veronese to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.
3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

040225 **[Appointment to Police Commission - Dr. Joe Marshall]**
Mayor

Motion confirming the Mayor's nomination of, and appointing, Dr. Joe Marshall to the San Francisco Police Commission for a term of office commencing on April 30, 2004 at noon, with the term ending to be determined by lot.

Transmittal Date: 3/2/04.
4/14/04 Supervisor Ammiano dissented in Committee.
3/2/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

040217 **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of $4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)
2/26/04, RECEIVED AND ASSIGNED to Rules Committee.

040218 **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for $27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee.

040219 **[Administrative Code Revision: Health Service System]**
Supervisor Daly

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

2/27/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. 3/16/04, Supervisor Daly requested to be added as a co-sponsor.

040220 **[Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]**

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for $1,700,000, which includes payment of a total of $52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

3/1/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040216 **[Accept and Expend Grant]**
Supervisors Dufty, Daly

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail. (Sheriff)

2/18/04, RECEIVED AND ASSIGNED to City Services Committee.

In Memoriams

Motion that the Board adjourn its meeting on this date out of respect to the memory of the following deceased:

Bernie Rush (Entire Board)
Frank Cruz (Supervisors Ammiano, Dufty)
Elizabeth Torlakson (Entire Board)
Carol Ann Arieff (Supervisor Gonzalez)
Kevin Fatooh (Supervisors Hall, McGoldrick, Dufty)
Angela Cain (Supervisors Ma, Maxwell)
Elizabeth Jehl (Supervisors Ma, Hall)
Mark Darrell Redwood (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 3:50 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 30, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

AUG - 6 2004

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 16, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Maxwell, Peskin	10:00 AM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	1:00 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	1:00 PM
Rules Committee Supervisors Hall, Dufty, Gonzalez	10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:05 p.m.

CONSENT AGENDA

Recommendation of the City Services Committee

040216 **[Accept and Expend Grant]**
Supervisors Dufty, Daly

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail. (Sheriff)

Resolution No. 166-04
ADOPTED

Recommendation of the Finance and Audits Committee

031826 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Amendment No. 3 to the Travelex America Inc. Lease Agreement for Foreign Currency Exchange in the New International Terminal Building and Existing Terminal Buildings at San Francisco International Airport Lease No. 99-0449 between Travelex America, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 159-04
ADOPTED

Recommendation of the Rules Committee

040163 **[Settlement of Lawsuits and Assessment Appeals]**

Ordinance authorizing settlement of lawsuits and assessment appeals filed by Mission Housing Development Co., Thomas Paine, Ltd., Vista del Monte, Ltd., Buchanan Park, Ltd., Prince Hall Ltd., Laurel Gardens, St. Francis Square Apartments, Friendship Village Inc., Casa de La Raza, Third Baptist Gardens/F. D. Haynes Apartments, and Glenridge Apartments versus the City and County of San Francisco by payment of a total amount not to exceed $1,800,000.00; the cases and appeals are Mission Housing I (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A075003), Mission Housing II (San Francisco Co. Super Ct. No. 920940, Court of Appeal No. A085462), Mission Housing III (San Francisco Co. Super Ct No. 300781), Mission Housing IV (those assessment appeals for which a decision was rendered by the Assessment Appeals Board on September 9, 2003), and Mission Housing V (San Francisco Co. Superior Ct. No. 502335, Court of Appeal No. A104180); the settlement includes any claims for reduced assessment for the 2002-2003 tax year and Plaintiffs/Claimants shall not file any claims for refund based on Sections 1604 or 2635 of the Revenue and Taxation Code. (A copy of proposed Settlement Agreement placed in Board File No. 040163.) (City Attorney)

Ordinance No. 46-04
FINALLY PASSED

Recommendations of the Land Use Committee

031151 **[Creating the Divisadero Street Alcohol Restricted Use District]**
Supervisor Gonzalez

Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

[No fiscal impact.]

Ordinance No. 41-04
FINALLY PASSED

040031 **[Modification of parking regulations on portions of Mission Street]**

Ordinance repealing Section 32.6.4 of the San Francisco Traffic Code, pertaining to part-time tow-away parking restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

Ordinance No. 42-04
FINALLY PASSED

040032 **[Modification of traffic regulations on portions of Mission Street]**

Ordinance repealing Section 35.1 of the San Francisco Traffic Code, pertaining to part-time left turn restrictions on portions of Mission Street (between 22nd and Cesar Chavez Streets). (Parking and Traffic Department)

Ordinance No. 43-04
FINALLY PASSED

040074 **[Speed Limit - Portion of Octavia Boulevard]**

Ordinance adding Section 175.35 to the San Francisco Traffic Code establishing a 30-MPH speed limit along a portion of Octavia Boulevard (central lanes only, between Fell and Market Streets). (Parking and Traffic Department)

Ordinance No. 44-04
FINALLY PASSED

040075 **[Speed Limit - Portion of Octavia Frontage Road]**

Ordinance adding San Francisco Traffic Code Section 174.8 to establish a 15-MPH speed limit along a portion of Octavia Frontage Road (between Hayes and Market Streets). (Parking and Traffic Department)

Ordinance No. 45-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Redevelopment Agency

040187 **[Ground Lease of Redevelopment Agency Land for Mariposa Gardens Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 4014, Lot 1, commonly known as 2445 Mariposa Street, to Mariposa Gardens II, L.P., for 55 years for the purpose of preserving a housing development for very low and low income households.

(Fiscal impact.)

Resolution No. 164-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the City Services Committee

032029 **[Extended Hours Permits]**
Supervisors Dufty, Daly, Ammiano, Gonzalez

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Maxwell

040182 **[Improve working conditions for day laborers in the San Francisco Mission District]**
Supervisor Gonzalez

Resolution authorizing the San Francisco Department of Public Health, Occupational and Environmental Health (SFDPH), to accept and expend retroactively a grant in the amount of $212,584 from the Centers for Disease Control and Prevention (CDC), to improve working conditions for day laborers in the San Francisco Mission District and to enter into an agreement for the use of these funds; for the period of September 30, 2003, to September 29, 2004. (Public Health Department)

Resolution No. 163-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

NEW BUSINESS

Recommendations of the City Services Committee

040027 **[Liquor License, 25 Van Ness Avenue]**
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater liquor license to Ed Decker for the New Conservatory Theatre Center located at 25 Van Ness Avenue (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 162-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040215 **[Liquor License, 1500 Sutter Street]**
Resolution determining that the issuance of a Type 48 on-sale general public premises license to TRI Restaurant Corporation dba The Majestic Hotel located at 1500 Sutter Street (District 2), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 165-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of Finance and Audits Committee

040093 **[Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]**
Mayor

Ordinance appropriating $5,460,000 of fund balance from the Water Department and $1,540,000 of fund balance from Hetch Hetchy, for a total of $7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of $6,000,000 for the Program Management Organization (PMO) and $1,000,000 for SFPUC staff and other support services; placing $2,500,000 on reserve.

(Fiscal impact.)

Amended to delete release of reserved funds in the amount of $2,500,000 from legislation in title and on page 5, lines 11-13; new title.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Ordinance appropriating $5,460,000 of fund balance from the Water Department and $1,540,000 of fund balance from Hetch Hetchy, for a total of $7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of $6,000,000 for the Program Management Organization (PMO) and $1,000,000 for SFPUC staff and other support services.

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031975 **[Year 4 Renewal of SFPUC Program Management Services Contract]**

Resolution retroactively approving the Public Utilities Commission's approval of the fourth year renewal of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) to provide program management services for the SFPUC Capital Improvement Program, for an amount not to exceed $11 million; approving the Contract Year 3 performance fee for an amount not to exceed $497,000; requiring that the PUC report to the Finance and Audits Committee as part of the PUC's annual budget review process. (Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

Amended to place contract budget authority of $2,500,000 on reserve in title and on page 2, line 9, insert FURTHER RESOLVED clause doing same; new title.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Resolution retroactively approving the Public Utilities Commission's approval of the fourth year renewal of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) to provide program management services for the SFPUC Capital Improvement Program, for an amount not to exceed $11 million; placing contract budget authority of $2,500,000 on reserve; approving the Contract Year 3 performance fee for an amount not to exceed $497,000; requiring that the PUC report to the Finance and Audits Committee as part of the PUC's annual budget review process. (Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 160-04

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040181 **[MOU - Amendment No. 1 and Amendment No. 2, Local 21]**

Mayor, Supervisor Sandoval

Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

031977 **[Amendment to Agreement for the PGA Tour to Host Tournament to be held at Harding Park Golf Course]**

Supervisor Hall

Resolution approving and authorizing an amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for the PGA Tour Championship Tournament.

(Fiscal impact.)

Resolution No. 161-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Peskin, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented a resolution commending Jenetta Lee, Principal of Star King Elementary School for her 34 years of service to the SFUSD.

Supervisor Ammiano introduced, welcomed and presented a resolution commending George R. Moscone Elementary School for their academic achievement in scoring 802 and ranking 8 on a scale of 10.

Supervisor Peskin, on behalf of the entire Board, introduced, welcomed and presented a resolution commending George Tsongas for his great poetry.

Supervisor Dufty introduced, welcomed and presented a resolution commending Martha Knutsen for her 8 years of service on the Human Rights Commission.

Supervisor Dufty introduced, welcomed and presented a resolution commending Chris Cunnie for his many years as President of the Police Officers' Association.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Ernestine Weiss, concerns regarding demolition of recreation area at her residence.
Rich Rogers, same sex marriage issues
Jim M., being evicted from house he built for homeless
Ms. Thomas, stop gun violence
Steven, article on street performers
Francisco DeCosta, various issues regarding Bayview
Female speaker, EAP Programs need support to continue
Female speaker, high schools need the City to provide grief counseling
Roger, S.F. Rescue Mission, oppose opening of strip club next to school
Ms. Turner, oppose strip club opening next to school
Mr. Rogers, neighborhoods need some control over establishments opening near schools
Christian Wong, Inner City Youth Program, concerns regarding Tenderloin youth
Clinton, Program Manager Rescue Mission, oppose strip club
Male speaker, save Trinity Plaza
Male speaker, oppose strip club
Mr. Jenkins, various issues
Robert Pender, Tenants Network, concerns Lake Merced
Abdullah Megaheed, various issues
Liam Sham, Youth Commission, thanking Supervisors for passing extended hours legislation
Edmond, support medical marijuana
Male speaker, thanking Department of Parking and Traffic staff for assisting with anti-cruising signs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040279 **[Extension of Planning Commission Review Period - 690 Market Street]**
Supervisor Peskin

Resolution extending for an additional 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by adding Section 249.25 to create the Downtown Housing Demonstration Special Use District encompassing the property zoned Downtown Office District (C-3-0) at the corner of Market Street, Kearny Street and Geary Avenue (690 Market Street, Assessor's Block 0311, Lot 006).

Resolution No. 167-04
ADOPTED

040284 **[Contract funds to evaluate the impact of a resource center for drug users]**
Supervisors Peskin, Dufty, Gonzalez

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend funds in the amount of $4,697 to provide research evaluation services; for the period of July 1, 2003 to June 30, 2004.

Resolution No. 168-04
ADOPTED

040286 **[Arts Education Month]**
Supervisors Ammiano, Dufty

Resolution declaring March 2004 as Arts Education Month in San Francisco.

Resolution No. 169-04
ADOPTED

040287 **[Greenhouse Gases]**
Supervisors Daly, McGoldrick, Gonzalez

Resolution urging the California Air Resources Board to adopt the strongest possible regulations to reduce greenhouse gases emitted by passenger vehicles pursuant to AB 1493 (Pavley), and recommends that the California Legislature endorse such regulations to protect the health of the state's economy and its people.

Resolution No. 170-04
ADOPTED

040288 **[Urging United States Senate to restore Earned Income Tax Credit funding]**
Supervisors Daly, Dufty, McGoldrick, Gonzalez

Resolution urging the United States Senate to restore funding for the Earned Income Tax Credit program; directing the Clerk of the Board to send the request to Senators Dianne Feinstein and Barbara Boxer.

Resolution No. 171-04
ADOPTED

040289 **[Rename Geary Street between Taylor and Mason Streets "Saroyan Way"]**
Supervisors Daly, Peskin, Gonzalez

Resolution renaming Geary Street between Taylor and Mason Streets "Saroyan Way" for the period between March 24 and April 30, 2004 and urging the San Francisco Department of Public Works to work with American Conservatory Theater to place appropriate signage.

Resolution No. 172-04
ADOPTED

040290 **[Continuation of higher cap on gate fees charged taxi drivers]**
Supervisor Hall

Resolution extending the date for enacting ordinances to prevent expiration of higher cap on gate fees charged taxi drivers.

(Companion measure to File 020678.)

Resolution No. 173-04
ADOPTED

040291 **[Unidentified Victims]**
Supervisor Hall

Resolution urging the San Francisco Medical Examiner's Office to provide sketches and profiles on their website of deceased individuals who have not been identified since 1975; and to provide the available information on request.

Resolution No. 174-04
ADOPTED

040292 **[Commemorating the One Year Anniversary of the Asian Art Museum]**
Supervisors Ma, Dufty, McGoldrick, Sandoval, Hall

Resolution commemorating the one year anniversary of the Asian Art Museum at its new Civic Center home.

Resolution No. 175-04
ADOPTED

040293 **[Commemorating Brown v. Board of Education]**
Supervisors Maxwell, Dufty, McGoldrick, Sandoval, Peskin

Resolution commemorating Brown v. Board of Education statewide celebration May 3rd and 4th 2004.

Resolution No. 176-04
ADOPTED

040294 **[Regulate the use of remote control locomotives]**
Supervisor Maxwell

Resolution urging the California Public Utilities Commission and the Federal Railroad Administration to adopt regulations to ensure that the safety of the citizens of the City and County of San Francisco is not at risk due to the use of remote control locomotives.

Resolution No. 177-04
ADOPTED

040295 **[Housing for Foster Youth]**
Supervisors Maxwell, Dufty, McGoldrick

Resolution supporting the Transitional Housing for Foster Youth Fund to provide safe, affordable housing and supportive services to emancipated foster youth.

Resolution No. 178-04
ADOPTED

040297 **[Robert Anino Estate]**
Supervisors Peskin, Hall, Gonzalez

Resolution accepting a $100,000 bequest from the Estate of Robert Anino for the design, construction, placement and maintenance of a monument to composer Johann Strauss, Jr. and urging the Fine Arts Museums Board of Trustees to accept and administer such bequest in accordance with the gift restrictions.

Resolution No. 180-04
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Adoption Without Reference to Committee

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

040296 **[Armenian Genocide Commemoration Day]**
Supervisors Peskin, Hall, Daly, Maxwell, Sandoval, Gonzalez, Alioto-Pier, McGoldrick

Resolution declaring April 24, 2004 Armenian Genocide Commemoration Day in San Francisco.

Amended on page 1, line 24 to change "88th" to "89th"; same title.
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Resolution No. 179-04
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040318 **[Amending Domestic Partnership requirements]**
Supervisors Ammiano, Dufty, Daly

Ordinance amending Chapter 62 of the Administrative Code by amending the statement of purpose in Section 62.1; amending Sections 62.2(d), 62.3(b) and 62.5(b) to remove a waiting period for certain domestic partnerships; amending Sections 62.3(a)(2) and 62.10(a) relating to Retirement System requirements; repealing Section 62.3(c) to eliminate a residency requirement; amending Section 62.6(a) to expand the rights and duties of domestic partners; adding Section 62.11 to clarify the Board of Supervisors' authority to amend domestic partnership legislation; adding Section 62.12 to add a severability provision; and adding Section 62.13 to ratify and approve domestic partnerships between certain non-residents.

(Fiscal impact.)
3/16/04, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/15/2004.

040321 **[Settlement of Lawsuit - United Air Lines, Inc., et al.]**
Supervisor Daly

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the March 24, 2004 meeting.

040322 **[Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver]**
Supervisor Peskin

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

(Fiscal impact.)
3/16/04, RECEIVED AND ASSIGNED to Budget Committee.

040324 **[Require that adult entertainment uses are no less than 1000 feet from schools, child care facilities and playgrounds]**
Supervisor Hall

Ordinance amending sections 221, 790.36 and 890.36 of the Planning Code to provide that, where permitted, adult entertainment uses must be no less than 1000 feet from public and private schools, child care facilities and Recreation and Parks department children's playgrounds, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
3/16/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/15/2004.

040343 **[Taxi Legislation]**
Supervisors Daly, Ma

Ordinance amending Sections 1076, 1081, 1121, and 1148.1 of the Police Code to state a test, measured in cumulative hours per year, for satisfying the driving requirement imposed on taxicab and ramped taxi permitholders; to authorize modification of that cumulative hours test to accommodate disabled permitholders; to increase the number of years of driving required of permit applicants to qualify for a taxicab or ramped taxi permit; to require that the City provide notice to permit applicants and taxi drivers of the driving required to qualify for a taxicab or ramped taxi permit; and to require color scheme permitholders to post a similar notice and maintain records of the driving performed by drivers affiliated with the color scheme.
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

040319 **[MTA Workers' Compensation Administration Contract Award]**
Mayor

Resolution authorizing the Director of Transportation to award a contract to Sedgwick Claims Management Services for Workers' Compensation Third Party Claims Administration, not to exceed $3.183 million in the first year and adjusted annually by formula for four subsequent years, with the option of three one-year extensions to be exercised at the sole discretion of the MTA.

(Fiscal impact.)
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040320 **[Interdepartmental jurisdictional transfer of the Geneva Office Building and Powerhouse]**
Supervisors Sandoval, Hall

Resolution transferring jurisdiction over the Geneva Office Building and Powerhouse, located at the corner of Geneva Avenue and San Jose Avenue, from the Municipal Transportation Agency to the Recreation and Park Commission for recreational uses; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040323 **[Develop, implement, and evaluate selected training programs for clinical and related professionals]**
Supervisor Hall

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an agreement which includes an indemnification clause, with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of $7,500 for research services, for the period of July 1, 2003 to June 30, 2004.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040329 **[Conditional approval of an historical property contract for 690 Market Street - The Chronicle Building]**
Supervisor Peskin

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 690 HTC LLC and 690B LLC, the owners of conditional landmark No. 243 at 690 Market Street and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract.
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040330 **[California Stem Cell Research and Cures Initiative]**
Supervisors Alioto-Pier, Maxwell, Dufty, Ma, Daly

Resolution endorsing The California Stem Cell Research and Cures Initiative, a measure for the November 2004 statewide ballot, which will both support important scientific research and create jobs in California.

Supervisor Hall dissenting.
3/16/04, RECEIVED AND ASSIGNED to City Services Committee.

040334 **[Local Vehicle License Fee Restoration]**
Supervisors Peskin, Dufty, Ammiano, Maxwell, McGoldrick, Alioto-Pier

Resolution urging the California State Legislature to pass legislation to allow local governments to obtain voter approval to restore the Vehicle License Fee.
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040338 **[Recognizing the memory of the legendary San Francisco Entertainer Sylvester]**
Supervisors Ammiano, Dufty

Resolution recognizing the historic performance by Sylvester at the San Francisco Opera House on March 11, 1979 and commend those who will use their political, spiritual and performing arts gifts on March 22, 2004 at the Herbst Theatre in the San Francisco War Memorial Performing Arts Center to donate funds and raise the consciousness of the community in the fight against the AIDS pandemic in Africa by proclaiming March 22, 2004 as SYLVESTER Day in the City and County of San Francisco.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040339 **[Accept-Expend State Grant]**
Supervisors Alioto-Pier, Hall

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $23,322 from the California Governor's Office on Service and Volunteerism for the Neighborhood Emergency Response Team Program.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040340 **[Opposing Section 484(r) of the Higher Education Act]**
Supervisors Gonzalez, Maxwell, Dufty

Resolution opposing Section 484(r) of the Higher Education Act.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040342 **[Commending the California High Speed Rail Authority]**
Mayor, Supervisors Peskin, Dufty, Daly, Hall

Resolution commending the California High Speed Rail Authority as they begin their statewide public hearing process to finalize the EIR/EIS process.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040345 **[Possible Removal and Replacement of the Vaillancourt Fountain in Justin Herman Plaza]**
Supervisor Peskin

Resolution urging the Recreation and Park Department and the Arts Commission, in consultation with the City Attorney's Office, the Port Commission and the Department of Public Works, to consider the possible removal and replacement of the Vaillancourt Fountain from Justin Herman Plaza with alternative works of art or public areas and to explore possible funding sources for such removal and replacement.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

040325 **[Mayor's Policy Instructions]**
Supervisor Sandoval

Requesting a hearing to take testimony on the directions given to City departments in the document produced by the Mayor's Budget Office entitled "Mayor's Policy Instructions."
3/16/04, RECEIVED AND ASSIGNED to Budget Committee.

040326 **[Controller's Three Year General Fund Budget Projection]**
Supervisor Sandoval

Requesting a hearing to receive information on the Controller's Three-Year General Fund Budget Projection, from Fiscal Year 2004-05 through Fiscal Year 2006-07.
3/16/04, RECEIVED AND ASSIGNED to Budget Committee.

040327 **[Closing the Budget Deficit]**
Supervisor Sandoval

Requesting a hearing to receive an update from the Mayor's Budget Office about ongoing efforts to close the projected budget deficit for Fiscal Year 2004-05.
3/16/04, RECEIVED AND ASSIGNED to Budget Committee.

040328 **[Proposition C Implementation - City Services Auditor]**
Supervisor McGoldrick

Hearing on the Controller's plans for implementation of the provisions of Proposition C, establishing a City Services Auditor, passed by the voters in November 2003.
3/16/04, RECEIVED AND ASSIGNED to Rules Committee.

040335 **[Office of the Clerk of the Board's Succession, Knowledge, Management and Workforce Plan]**
Supervisor Dufty

Hearing on the Office of the Clerk of the Board's Succession, Knowledge, Management and Workforce Plan.
3/16/04, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the 3/25/04 meeting.

040336 **[Proposition H Implementation]**
Supervisor Ammiano

Hearing of the Joint City/School Board Committee to consider Proposition H implementation planning efforts of the Board of Education and the First Five Commission.
3/16/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

040344 **[Ryan White CARE Act Funding FY 2004-2005]**
Supervisors Daly, Dufty

Hearing to consider the impacts of Ryan White CARE Act funding reductions in the Fiscal Year 2004-2005, and discuss the development of a supplemental appropriation. The hearing will address the following issues: (1) Actions of the HIV Health Services Planning Council to prioritize funding; (2) Implementation of Planning Council prioritization by DPH; (3) Service impacts to local residents; (4) Marin and San Mateo County funding levels; (5) Efforts of our federal representatives to restore funding; (6) Using Medi-Cal to ensure that CARE funding is used as the funding of last resort; (7) Reducing administrative costs; (8) Whether elimination of services such as transportation, decentralized dental care, outpatient substance abuse, childcare, treatment adherence, legal and immigation assistance and complementary therapies are sound public policy.
3/16/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Motions

040317 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040331 **[Adopting the mitigated negative declaration approved for 8 Washington Street (aka 370 Drumm Street)]**
Motion adopting the final mitigated negative declaration issued for 8 Washington Street and affirming the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

(Companion measure to Files 040254, 040331, 040332, 040333.)
3/16/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing March 30, 2004.

040332 **[Disapproving the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]**
Motion disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)
3/16/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing March 30, 2004.

040333 **[Preparation of findings to disapprove the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]**
Motion directing the Clerk of the Board to prepare findings disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)
3/16/04, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing March 30, 2004.

040337 **[Establishing Joint City and School District Select Committee]**
Supervisor Gonzalez

Motion establishing a Joint City and School District Select Committee.
3/16/04, RECEIVED AND ASSIGNED to Rules Committee.

040341 **[Amending Board Rules to allow the President to appoint 3-5 members to Board Committees]**
Supervisor Gonzalez

Motion amending Rules 5.1, 5.12, 5.26 and 5.38 of the Rules of Order of the Board of Supervisors to allow the President of the Board of Supervisors to appoint at least three, and no more than five, members to each Committee of the Board of Supervisors.
3/16/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

040230 **[Conforming with official street name change - Cesar Chavez Street]**

Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street. (Parking and Traffic Department)

3/5/04, RECEIVED AND ASSIGNED to Land Use Committee.

040261 **[Settlement of Lawsuit - Laura Bianchi]**

Ordinance authorizing settlement of the lawsuit filed by Laura Bianchi against the City and County of San Francisco for $70,000; the lawsuit was filed on August 14, 2003 in San Francisco Superior Court, Case No. 03-423459; entitled Laura Bianchi v. City and County of San Francisco, et al. (City Attorney)

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

040226 **[Sale of Surplus Property at 107 24th Avenue]**

Resolution authorizing the sale of surplus City-owned real property located at 107 24th Avenue (Block 1334, Lot 1); adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to proceed with its sale at public auction. (Real Estate Department)

3/9/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040227 **[Construct retaining walls in public right-of-way to provide for parking garage driveway and level entry to a new resident at 719 Peru Avenue]**

Resolution granting revocable permission to Alan Tran to occupy a portion of the street area along Peru Avenue for the purpose of constructing and maintaining retaining walls in order to provide for a parking garage driveway and a level entry to a new building at 719 Peru Avenue (Assessor Block 5943, Lot 024). (Public Works Department)

3/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

040228 **[Construct retaining walls in public right-of-way to provide for a parking garage driveway and level entry to a new resident at 715 Peru Avenue]**

Resolution granting revocable permission to Robert C. M. & Lori O. W. Chiang to occupy a portion of the street to construct retaining walls in public right-of-way in order to provide for a parking garage driveway and a level entry to a new resident at 715 Peru Avenue (Block 5943, Lot 025). (Real Estate Department)

3/3/04, RECEIVED AND ASSIGNED to Land Use Committee.

040229 **[Contracting out laundry services at S.F. General Hospital]**

Resolution concurring with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by a private contractor for a lower cost than similar work performed by City and County employees. (Public Health Department)

3/3/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040239 **[Extending provisional appointments]**

Resolution approving extension to June 30, 2005 of provisional appointments of employees in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, 0943 Manager VIII, 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 7334 Stationary Engineer, and 9343 Roofer, and H-30 Captain (Fire Department). (Human Resources Department)

3/5/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040259 **[Settlement of Claim - Weston Ngo]**

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Weston Ngo against the City and County of San Francisco in the amount of $50,000.00. (City Attorney)

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

040260 **[Settlement of Claim - Suzanna Hernandez]**

Resolution approving the settlement of the unlitigated claim filed on October 8, 2003 by Fire Insurance Exchange as subrogees for Suzanna Hernandez against the City and County of San Francisco in the amount of $50,000.00. (City Attorney)

3/8/04, RECEIVED AND ASSIGNED to Rules Committee.

040262 **[Mayor's Summer Food Service Program]**
Supervisor Daly

Resolution authorizing the Department of Children, Youth, and Their Families to accept and expend a grant in the amount of $599,215 from the United States Department of Agriculture for the 2004 Mayor's Summer Food Service Program. (Mayor)

3/8/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

In Memoriams

Motion that the Board adjourn its meeting on this date out of respect to the memory of the following deceased:

Bernie Rush (Entire Board)
Frank Cruz (Supervisors Ammiano, Dufty)
Elizabeth Torlakson (Entire Board)
Carol Ann Arieff (Supervisor Gonzalez)
Kevin Fatooh (Supervisors Hall, McGoldrick, Dufty)
Angela Cain (Supervisors Ma, Maxwell)
Elizabeth Jehl (Supervisors Ma, Hall)
Mark Darrell Redwood (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:20 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 13, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

AUG - 6 2004

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Tuesday, March 23, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Sandoval, Daly, McGoldrick	2nd, 3rd, 4th Thursday 10:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma, Hall	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Quorum present.

Supervisor Ammiano was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to approve February 24, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Finance and Audits Committee

040181 **[MOU - Amendment No. 1 and Amendment No. 2, Local 21]**
Mayor, Supervisor Sandoval

Ordinance adopting and implementing Amendment No. 1 and Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, to be effective July 1, 2004 through June 30, 2005 setting forth: (a) an addendum of terms and conditions of employment for specified covered classes working on capital projects; (b) modifications to existing MOU language addressing eligibility for assignment pay.

(Fiscal impact.)

Ordinance No. 49-04
FINALLY PASSED

Recommendations of the Land Use Committee

040164 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
31st Avenue and Rivera Street, stopping 31st Avenue, making this intersection an all-way STOP; and Newcomb and Toland Streets, stopping Newcomb Street, making this uncontrolled intersection a two-way STOP. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Resolution No. 184-04
ADOPTED

040166 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

TWO-WAY STREET - ESTABLISH
Laguna Street, between Fell and Oak Streets.

RIGHT TURN ONLY - REVOKE
Laguna Street, southbound at Fell Street; and
Laguna Street, northbound at Oak Street. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Resolution No. 186-04
ADOPTED

Recommendations of the Rules Committee

040160 **[Settlement of Lawsuit - Maria Trapalis-Baird]**

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for $285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040161 **[Settlement of Lawsuit - Clara Tempongko, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for $500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040217 **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of $4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

040218 **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for $27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

040220 **[Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]**

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for $1,700,000, which includes payment of a total of $52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

031430 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Deborah Escobedo and Svetlana Kaff, terms ending June 6, 2005, to the Immigrant Rights Commission.

Deborah Escobedo, succeeding Medea Benjamin, term expired, seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.
Svetlana Kaff, succeeding Hugh Wang, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two year term ending June 6, 2005.

Resolution No. 181-04
ADOPTED

040052 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Cheryl Brinkman, Ken Kelton, Helen Kwan, Howard Strassner, Shirley Bierly and Sharon Priest, terms ending March 28, 2006 to the Pedestrian Safety Advisory Committee.

Cheryl Brinkman, succeeding herself, term expired, seat 1, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.
Ken Kelton, succeeding himself, term expired, seat 3, must be a representative from pedestrian safety organizations, for a two-year term ending March 28, 2006.
Helen Kwan, succeeding herself, term expired, seat 5, must be a representative from senior or disability organizations, for a two-year term ending March 28, 2006.
Howard Strassner, succeeding himself, term expired, seat 7, must be a representative from transit or environmental organization, for a two-year term ending March 28, 2006.
Shirley Bierly, succeeding herself, term expired, seat 9, must be a representative from a public health organization, for a two-year term ending March 28, 2006.
Sharon Priest, succeeding herself, term expired, seat 11, must represent the public at-large, for a two-year term ending March 28, 2006.

Resolution No. 182-04
ADOPTED

040085 **[Appointment - Childhood Nutrition & Physical Activity Task Force]**

Resolution appointing Scott Hoshida, term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force; residency requirement waived.

Scott Hoshida (residency requirement waived), new position, seat 14, must belong to a foundation or philanthropic organization with an interest in physical activity and healthy eating, for the unexpired portion of a one year term ending December 12, 2004.

Resolution No. 183-04
ADOPTED

040173 **[Appointment - Lead Hazard Reduction Citizens Advisory Committee]**

Resolution appointing Frances Doherty, Theodore Strong, James Forbes, and Carolyn Gold, terms ending December 22, 2005, Joe LaTorre, Neil Gendel, and Stephen Davis, terms ending December 22, 2006, and Tim Carrico, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee; residency requirement waived.

Frances Doherty (residency requirement waived), succeeding herself, term expired, seat 3, must be a painting contractor, for the unexpired portion of a four-year term ending December 22, 2005.
Theodore Strong, succeeding himself, term expired, seat 4, must represent the building trades, for the unexpired portion of a four-year term ending December 22, 2005.
Joe LaTorre (residency requirement waived), succeeding himself, term expired, seat 6, must be a representative involved in housing and community development issues from the Mayor's office, for the unexpired portion of a term ending December 31, 2006.
Neil Gendel, succeeding himself, term expired, seat 8, must represent public interest organization, for the unexpired portion of a term ending December 31, 2006.
Tim Carrico, succeeding himself, term expired, seat 9, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2004.
James Forbes, succeeding David LaCounte, term expired, seat 10, must be a residential owner, for the unexpired portion of a four-year term ending December 22, 2005.
Carolyn Gold, succeeding herself, term expired, seat 12, must represent tenant organization, for the unexpired portion of a four-year term ending December 22, 2005.
Stephen Davis (residency requirement waived), succeeding himself, term expired, seat 14, must be lead testing expert, for the unexpired portion of a term ending December 31, 2006.

Resolution No. 187-04
ADOPTED

040267 **[Appointment - San Francisco Health Authority]**

Resolution appointing Gene Marie O'Connell, Dale Butler, and Steven Fields, terms ending January 15, 2006, and Maria Luz Torres, term ending January 15, 2007, to the San Francisco Health Authority; residency requirement waived.

Gene Marie O'Connell, succeeding Anthony Wagner, resigned, seat 3, must be senior manager of San Francisco General Hospital, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.
Dale Butler, succeeding himself, term expired, seat 9, must be nominee of SF Labor Council, or any successor organization, for the unexpired portion of a three year term ending January 15, 2006.
Steven Fields, succeeding himself, term expired, seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three year term ending January 15, 2006; residency requirement waived.
Maria Luz Torres, succeeding herself, term expired, seat 10, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three year term ending January 15, 2007.

Resolution No. 190-04
ADOPTED

040307 **[Appointment - Veterans Affairs Commission]**

Resolution appointing Wallace Levin, Charles Reed, and George Gibbs, terms ending January 21, 2008, to the Veterans Affairs Commission.

Wallace Levin, succeeding himself, term expired, seat 3, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.
Charles Reed, succeeding Elizabeth Melnik, resigned, seat 4, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2008.
George Gibbs, succeeding himself, term expired, seat 6, must be a veteran with a physical disability, for the unexpired portion of a four-year term ending January 31, 2008.

Resolution No. 191-04
ADOPTED

040308 **[Appointment - San Francisco Health Authority]**

Resolution appointing Jeffrey Sterman, serving at the pleasure of the Board, to the San Francisco Health Authority.

Jeffrey Sterman, succeeding Supervisor Michael Yaki, resigned, seat 1, must be a member of, or designated by, the Board of Supervisors, who shall serve at the pleasure of the Board.

Resolution No. 192-04
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano

Severed From Consent Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

040268 **[Appointment - Treasure Island Development Authority Citizens Advisory Committee]**
Resolution appointing Elizabeth Strahlstrom, term ending January 1, 2005, to the Treasure Island Development Authority Citizens Advisory Board.

Elizabeth Strahlstrom, succeeding Arnold Levine, resigned, seat 11, must possess any of the following qualifications: land use and urban planning and architecture; transportation planning and alternative and mass transit; historic conservation and preservation; engineering and construction; real estate development and financing; economic development and job generation and organized labor; first-source hiring, welfare-to-work and other job broker programs; affordable and low-income housing; marine related activities; natural resource preservation and conservation; environmental and toxic remediation and control; tideland trust and public access; open-meeting laws; recreational and athletic opportunities and programs; representative of public safety officers on Treasure Island; representative of TIHDI; representative of Job Corps; Representative of Treasure Island Elementary School; representative of film production industry; and representative of residential tenants on Treasure Island, for the unexpired portion of a four-year term ending January 1, 2005.
Supervisor Maxwell dissenting.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 4 - Dufty, Hall, Ma, Sandoval

UNFINISHED BUSINESS

REGULAR AGENDA

Recommendation of the City Services Committee

032029 **[Extended Hours Permits]**
Supervisors Dufty, Daly, Ammiano, Gonzalez

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

Ordinance No. 47-04
FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Noes: 1 - Maxwell

Supervisor Hall moved to rescind the previous vote.
Motion to rescind the previous vote carried without objection.

Ordinance No. 47-04

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin, Sandoval
Noes: 2 - Hall, Maxwell

Recommendation of the Finance and Audits Committee

040093 **[Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program]**

Mayor, Supervisor Sandoval

Ordinance appropriating $5,460,000 of fund balance from the Water Department and $1,540,000 of fund balance from Hetch Hetchy, for a total of $7,000,000 for program management services for the San Francisco Public Utilities Commission's (SFPUC) Capital Improvements Program for fiscal year 2003-04. Appropriated funds will facilitate the fourth year of the WIP contract in the amount of $6,000,000 for the Program Management Organization (PMO) and $1,000,000 for SFPUC staff and other support services.

(Fiscal impact.)

Ordinance No. 48-04

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ammiano assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

031501 **[Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]**

Supervisors Gonzalez, Daly, Ammiano

Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182, and Section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Hall, Ma

040137 **[Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]**

Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040138 **[Mission Bay – Owens Street and 16th Street Acceptance]**

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040139 **[Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]**

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040167 **[Market Street Truck Loading Bays]**

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040168 **[Modification of traffic regulations at Oak and Laguna Streets]**

Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040169 **[Modification of traffic regulations at the intersection of Fell and Laguna Streets]**

Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040165 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Missouri Street, both sides, between 20th and 22nd Streets (500 and 600 blocks); and
Sierra Street, north side, between Missouri and Texas Streets.
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Plymouth Avenue, east side, from Monterey Boulevard to 60 feet northerly;
Cesar Chavez Street, north side, from 35 feet to 85 feet east of Connecticut Street (extends existing 35-foot zone by an additional 50 feet); and
Cesar Chavez Street, south side, from Connecticut Street to 85 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ellis Street, south side, from Laguna Street to 350 feet westerly (legislates existing conditions);
Waller Street, north side, from Divisadero Street to Broderick Street (legislates existing conditions); and
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Edgar Place, east side, from 80 feet south of Niagara Avenue to the southern terminus (unit block).

NO PARKING ANYTIME - RESCIND
NO PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Nido Avenue, west side, between Turk and Vega Streets; and
Vega Street, north side, between Anza Vista and Nido Avenues.

TOW-AWAY NO PARKING, 9 PM TO 6 AM, EXCEPT SATURDAY AND SUNDAY - RESCIND
10-MINUTE GREEN ZONE, 9 AM TO 6 PM, EVERYDAY - RESCIND
PARKING METER AREA NO. 1 (30-MINUTE METERS, 7 AM TO 6 PM, EVERYDAY) - EXTEND
Market Street, north side, between the east and west curb lines of Steuart Street.

TOW-AWAY, NO STOPPING, 3 PM TO 6 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM TO 7 PM, EVERYDAY - ESTABLISH
3rd Street, both sides, from Mission to Market Streets; and
3rd Street, west side, from Howard to Mission Streets. (Parking and Traffic Department)

(2/10/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2759.)

Resolution No. 185-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040178 **[Traffic Regulations]**
Resolution enacting traffic regulation on Octavia Frontage Road, southbound, at Fell Street.

RIGHT TURN ONLY, EXCEPT BICYCLES - ESTABLISH
Octavia Frontage Road, southbound, at Fell Street. (Parking and Traffic Department)

(12/9/03: Environmental review pursuant to the California Environmental Quality Act completed through a Certificate of Determination of Exemption/Exclusion from Environmental Review dated October 7, 2003, Case No. 2003.0764R, San Francisco Planning Department; DPT Order No. 2725; No Public Benefit Recipient.)

Resolution No. 188-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Recommendations of the Rules Committee

040193 **[Public Utilities Citizens' Advisory Committee]**
Supervisors Ammiano, Maxwell

Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040252 **[Board of Supervisors Meeting Schedule - Week of May 3, 2004]**
Supervisor Gonzalez

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling all Board and Committee meetings during the week of May 3, 2004.

Resolution No. 189-04
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Maxwell welcomed, introduced and presented a resolution to Michelle Byrnes, Program Director, of Honoring Emancipated Youths "HEY".

Supervisor Alioto-Pier recognized Luca's Delicatessen on it's 75th Anniversary of being in business.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bob Planthold; Muni issues
Male Speaker; parking violations
Male speaker; homeless issues
Eura Walters; opposed to Item 41
Richard Roberts; general issues
Liam Shy, Youth Commission Item 36
Lois Roberts; opposed to Item 41
June Lockley; amend number of and type of retail users
John; use of abusive language
Male Speaker; general issues
Female speaker; civil rights issues
Denise Vaughn; civil rights issues
Margaret Piercy; street artists program
Alvin Jones; housing issues
Male Speaker; disallow sex theatres next to schools
Male Speaker; Staples stores
Edmond; medical marijuana issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040323 **[Develop, implement, and evaluate selected training programs for clinical and related professionals] Supervisor Hall**

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an agreement which includes an indemnification clause, with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of $7,500 for research services, for the period of July 1, 2003 to June 30, 2004.

Resolution No. 194-04
ADOPTED

040338 **[Recognizing the memory of the legendary San Francisco Entertainer Sylvester]**
Supervisors Ammiano, Dufty

Resolution recognizing the historic performance by Sylvester at the San Francisco Opera House on March 11, 1979 and commend those who will use their political, spiritual and performing arts gifts on March 22, 2004 at the Herbst Theatre in the San Francisco War Memorial Performing Arts Center to donate funds and raise the consciousness of the community in the fight against the AIDS pandemic in Africa by proclaiming March 22, 2004 as SYLVESTER Day in the City and County of San Francisco.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 195-04
ADOPTED

040339 **[Accept-Expend State Grant]**
Supervisors Alioto-Pier, Hall

Resolution authorizing the Office of Emergency Services to accept and expend a grant in the amount of $23,322 from the California Governor's Office on Service and Volunteerism for the Neighborhood Emergency Response Team Program.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 196-04
ADOPTED

040340 **[Opposing Section 484(r) of the Higher Education Act]**
Supervisors Gonzalez, Maxwell, Dufty

Resolution opposing Section 484(r) of the Higher Education Act.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 197-04
ADOPTED

040342 **[Commending the California High Speed Rail Authority]**
Mayor, Supervisors Peskin, Dufty, Daly, Hall

Resolution commending the California High Speed Rail Authority as they begin their statewide public hearing process to finalize the EIR/EIS process.

Supervisors Dufty, Daly and Hall requested to be added as co-sponsors.

Resolution No. 198-04
ADOPTED

040264 **[Final Map for 5 Unit Commercial/Residential Condominium Project - 2346 Clement Street]**
Motion approving Final Map of 2346 Clement Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 25 in Assessor's Block No. 1409, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,714; District No. 1.)

Motion No. M04-34
APPROVED

040265 **[Final Map for a 13 Unit Residential Condominium Project - 1598 Dolores Street]**

Motion approving Final Map of 1598 Dolores Street, a Residential Condominium Project, being a subdivision of Lot 39 in Assessor's Block No. 6618, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,713; District No. 8.)

Motion No. M04-35
APPROVED

040317 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M04-33
APPROVED

Supervisor McGoldrick was noted absent at 4:25 p.m.
Supervisor Maxwell was noted absent at 4:33 p.m.

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 2 - Maxwell, McGoldrick

Supervisor Maxwell was noted present at 4:35 p.m.

Severed From Without Reference to Committee Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

040320 **[Interdepartmental jurisdictional transfer of the Geneva Office Building and Powerhouse]**
Supervisors Sandoval, Hall

Resolution transferring jurisdiction over the Geneva Office Building and Powerhouse, located at the corner of Geneva Avenue and San Jose Avenue, from the Municipal Transportation Agency to the Recreation and Park Commission for recreational uses; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

Amended on page 3, line 15, by replacing "February 28, 2004" with "February 26, 2004."

Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 193-04

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

040345 **[Possible Removal and Replacement of the Vaillancourt Fountain in Justin Herman Plaza]**
Supervisor Peskin

Resolution urging the Recreation and Park Department and the Arts Commission, in consultation with the City Attorney's Office, the Port Commission and the Department of Public Works, to consider the possible removal and replacement of the Vaillancourt Fountain from Justin Herman Plaza with alternative works of art or public areas and to explore possible funding sources for such removal and replacement.

President Gonzalez, seconded by Supervisor Hall, moved that this Resolution be REFERRED to the City Services Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040361 **[To appropriate settlement funds to fund the development costs associated with the San Francisco Electrical Reliability Project]**
Mayor

Ordinance appropriating $2,666,667 of fund balance from the Hetch Hetchy estimated revenues from the litigation settlement against The Williams Companies, Inc. and Williams Marketing Energy Marketing & Trading Company to the San Francisco Electrical Reliability Project for fiscal year 2003-04. Appropriated funds will facilitate the development costs related to the City power plants.

(Fiscal impact.)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040362 **[To appropriate funding to Modification No.12 to Contract No.309 with ANSALDOBREDA (Breda), and related consultant and administrative costs for the Municipal Transportation Agency]**
Mayor

Ordinance appropriating $12,275,000 of fund balance to fund Modification No. 12 to Contract No. 309 with ANSALDOBREDA (Breda) and for related consultant and administrative costs as part of the Muni Light Rail Vehicles (LRV) Procurement Program. Funding is provided from proceeds of a recently completed Breda lease-lease back transaction. The MTA adopted Resolution No. 04-016 approving a spending plan for Muni's Breda LRV modification program, with an emphasis on operational and passenger safety security enhancements for fiscal year 2003-04.

(Fiscal impact.)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040363 **[To appropriate General Fund revenue for City Planning Department]**
Mayor

Ordinance appropriating $1,290,592 from Department of Building Inspection fund balance to reimburse the City for General Fund expenditures on long range planning in fiscal years 1997-98 and 1998-99, and to use the reimbursement to offset a shortfall in fiscal year 2003-04 budgeted revenue at the City Planning Department, and to enable the department to complete environmental reviews related to the Eastern Neighborhoods Initiative and the Rincon Hill Project.

(Fiscal impact; Department requests this item be scheduled for considertion with File No. 040304)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040365 **[Planning Code amendment to delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312]**
Supervisor Gonzalez

Ordinance amending Planning Code Section 312 to delete the requirement that a change in use to a retail coffee store, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries use, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
3/23/04, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/22/2004.

040366 **[Conditionally Designate 690 Market, the Chronicle Building, as a Landmark Under Planning Code Article 10]**
Supervisors Peskin, Hall

Ordinance conditionally designating 690 Market, the Chronicle Building, as Landmark No. 243 pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.
3/23/04, RECEIVED AND ASSIGNED to Land Use Committee. Mailing list from Planning Department used and mailed on 3/25/04.
3/23/04, RECEIVED AND ASSIGNED to Land Use Committee. Sponsor requests this item be scheduled for consideration at the March 29, 2004 meeting.

Resolutions

040345 **[Possible Removal and Replacement of the Vaillancourt Fountain in Justin Herman Plaza]**
Supervisor Peskin

Resolution urging the Recreation and Park Department and the Arts Commission, in consultation with the City Attorney's Office, the Port Commission and the Department of Public Works, to consider the possible removal and replacement of the Vaillancourt Fountain from Justin Herman Plaza with alternative works of art or public areas and to explore possible funding sources for such removal and replacement.
3/16/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
3/23/04, REFERRED to City Services Committee.

040364 **[Municipal Transportation Agency Contract No. CS-103 with Booz Allen & Hamilton Inc.]**
Mayor

Resolution authorizing the Municipal Transportation Agency to enter into Amendment No. 4 to Municipal Railway Contract No. CS-103 with Booz Allen & Hamilton Inc., for further engineering services through closeout of MUNI's Light Rail Replacement Program, for (1) further consulting services through closeout of MUNI's light rail vehicle replacement program, (2) a contract increase not to exceed $1,500,998, for a total contract amount not to exceed $17,223,352; and (3) a contract extension through December 31, 2007.

(Fiscal impact.)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040373 **[Public Defender Requisition Request]**
Supervisors Gonzalez, Daly

Resolution granting the Office of the Public Defender's Requisition #PE4018/1074384.
3/23/04, RECEIVED AND ASSIGNED to Budget Committee.

040374 **[Accept - Expend Federal Grant]**
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a federal grant in the amount of $450,000.00 from the Federal Transportation Security Administration to enhance facility and operational security at the Port's cargo terminal at Pier 80.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040375 **[Parking Regulations at Various Locations on California Street]**
Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO PARKING (6AM - 6 PM EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS) - ESTABLISH
California Street, north side, from 182 feet to 222 feet west of 32nd Avenue (40 foot zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
California Street, north side, from 100 feet to 182 feet west of 32nd Avenue.

ANGLE (45-DEGREE ANGLE) PARKING - ESTABLISH
California Street, north side, from 100 feet to 182 feet west of 32nd Avenue (6 spaces).

COMPACT ONLY PARKING - ESTABLISH
California Street, north side, from 75 feet to 182 feet west of 32nd Avenue (7 spaces).

(3/19/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
3/23/04, RECEIVED AND ASSIGNED to Land Use Committee.

040377 **[Commending Senior Deputy Fabian Brown]**
Supervisors Ammiano, Peskin

Resolution commending Senior Deputy Fabian Brown for her outstanding public service in City Hall on March 22, 2004.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040378 **[Opposition to Budget Cuts to Higher Education]**
Supervisors Ma, Sandoval

Resolution urging Governor Schwarzenegger and State Legislators to provide College Access for All Californians by opposing Budget Cuts to Higher Education.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040379 **[Voter Education Regarding Instant Runoff Voting]**
Supervisors Gonzalez, Peskin, Hall

Resolution urging the Department of Elections and Elections Commission to immediately begin voter education and outreach regarding the use of instant runoff voting for the November 2004 election.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040380 **[Accept-Expend Corporate Grant]**
Supervisor Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $50,000 from the Pacific Gas and Electric Company to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040381 **[Accept-Expend Foundation Grant]**
Supervisor Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Richard and Rhoda Goldman Fund to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040382 **[Fairness and Safety for Employees in San Francisco Residential Buildings]**
Supervisors Peskin, Ammiano, Daly, Gonzalez, Dufty, Maxwell, Ma

Resolution supporting the Service Employees International Union, Local 1877, in their efforts to maintain and improve standards for residential building service workers and the quality of service in San Francisco's residential buildings, and to call on Frank and Walter Lembi to re-establish the high quality, family-supporting jobs at Nob Hill Towers.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040383 **[Revenue Bonds - ABAG Finance Authority]**
Supervisor Peskin

Resolution recommending approval of the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $30 million for the improvement, including seismic safety improvements, to two buildings located at 690 Market (Assessor's Block 0311, Lot 006) and 938-942 Market Street (Assessor's Block 341, Lot 005) (collectively, the "Buildings"), and making findings.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040384 **[Municipal Transportation Agency Contract Modification No. 12 with ANSALDOBREDA S.p.a]**
Mayor

Resolution authorizing the Municipal Transportation Agency to enter into Contract Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles; and (5) modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions of the contract to address the new work; all in an amount not to exceed $9,148,576, and for a total contract amount not to exceed $407,155,455.

(Fiscal impact.)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040386 **[Dolores Huerta Reappointment]**
Supervisors Sandoval, Ammiano, Alioto-Pier, Dufty, Peskin

Resolution supporting the reappointment of Dolores Huerta to the University of California Board of Regents.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040387 **[Commending William Breall]**
Supervisors Sandoval, Ma

Resolution commending William Breall for his tireless efforts to improve the health of San Franciscans through both research and teaching, his promotion of Jewish community services, and for extending his talents to other neighborhood projects.
3/23/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

040368 **[Department of City Planning 2004-05 Work Program and Efficiency Plan]**
Supervisor McGoldrick

Hearing to consider proposed 2004-05 work program and efficiency plan of the Department of City Planning.
3/23/04, RECEIVED AND ASSIGNED to Land Use Committee. Sponsor requests this item be scheduled for consideration at the March 29, 2004 meeting.

040369 **[Labor Negotiations]**
Supervisor Daly

Closed session hearing to consider the progress of labor negotiations between the City and County of San Francisco and affected bargaining units.

(City's Negotiators: Mayor and Human Resources Director
Organizations Representing:
Automotive Machinists, Local 1414; Bricklayers Local 3/Hod Carriers, Local 36;
Building Inspectors Association; Chief Building Inspectors;
Carpenters, Local 22; Cement Mason, Local 580;
Deputy Sheriffs' Association; District Attorney Investigators Association
Electrical Workers, Local 6; Glaziers, Local 718;
International Alliance of Theatrical Stage Employees, Local 16;
Ironworkers, Local 377; Laborers International Union, Local 261;
Municipal Attorneys' Association; Municipal Executives Association; MEA - Police Management; MEA Fire Management;
Operating Engineers, Local 3; Painters, Local 4; Pile Drivers, Local 34;
Plasterers and Shophands, Local 66; Plumbers, Local 38;
Probation Officers Association; Professional & Technical Engineers, Local 21;
Roofers, Local 40; SFIRA/CAIR/CIR/SEIU (Interns and Residents);
S. F. Institutional Police Officers Association;
S. F. Firefighters, Local 798 Unit 1; S. F. Firefighters, Local 798 Unit 11;
S. F. Police Officers Association; SEIU Local 250
SEIU Local 535; SEIU Local 790; SEIU Local 790 (Staff Nurses);
SEIU (H-1) Rescue Paramedics); Sheet Metal Workers, Local 104;
Stationary Engineers, Local 39;
Supervising Probation Officers, Operating Engineers Local 3;
Teamsters, Local 350; Teamsters, Local 853;
Teamsters, Local 856 (Multi Unity); Teamsters, Local 856 (Supervising Nurses);
TWU, Local 200 (SEAM Multi Unit); TWU, Local 250-A, (7410);
TWU, Local 250-A, (9163); TWU, Local 250-A, (Multi Unit);
Union of Amer. Physicians & Dentists; Unrepresented Employees)
3/23/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040370 **[S.F. Police Department's Arrests of Protesters]**
Supervisor Gonzalez

Hearing on the San Francisco Police Department's arrests of protesters during the recent demonstrations marking the anniversary of the U.S. invasion of Iraq.
3/23/04, RECEIVED AND ASSIGNED to City Services Committee.

040371 **[Investigate practices at the UCSF]**
Supervisor Daly

Hearing to investigate practices at the UCSF in San Francisco, including prioritizing wealthy donors for cardiology care and prioritizing executive increases over low-wage workers.
3/23/04, RECEIVED AND ASSIGNED to City Services Committee.

040372 **[Recreation and Parks Department Fees]**
Supervisors Dufty, Hall

Hearing to discuss increases in fees charged for use of Recreation and Parks Department.
3/23/04, RECEIVED AND ASSIGNED to City Services Committee. Notified Youth Commission of April 1, 2004 hearing date.

040376 **[San Francisco's grievance procedures]**
Supervisor Sandoval

Hearing on the City and County of San Francisco's grievance procedures. The response to the following questions are the primary focus of this hearing: (1) Who pays for the resolution of grievances?; (2) Who reviews payments?; (3) When do settlements come to the Board of Supervisors?; (4) Out of what line item does a department pay settlements?; (5) What is the role of the City Attorney, Human Resources and each individual deparment?.
3/23/04, RECEIVED AND ASSIGNED to Budget Committee.

040385 **[Department of Aging and Adult Services Budget]**
Supervisor Sandoval

Request for hearing on the budget of the City and County of San Francisco's Department of Aging and Adult Services. Specifically, to discuss the budget after the cuts required by the Mayor's Office and describe the budget of this department if a 15% overall cut was imposed.
3/23/04, RECEIVED AND ASSIGNED to Budget Committee.

Motion

040367 **[Board Off-site Meetings]**
Supervisor Ammiano

Motion ordering the City and School District Select Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, May 3; Monday, July 12; Monday, September 13; and Monday, November 8, 2004 at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.
3/23/04, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

040269 **[John Muir Drive Declaration of Emergency]**

Resolution declaring a public emergency at John Muir Drive as a result of the unstable conditions caused by heavy rains and directing and authorizing the Director of the Department of Public works to take necessary measures in the most expeditions manner to protect the health, welfare and property of the citizens of the City and County of San Francisco. (Public Works Department)

3/12/04, RECEIVED AND ASSIGNED to City Services Committee.

3/23/04, CLERICAL CORRECTION. Corrected page 1, title, line 5, deleted "expeditions" after "most" and replaced with "expeditious".

040306 **[Grant of Regional Funds]**

Resolution authorizing the Municipal Transportation Agency to accept and expend $191,205 of State Traffic Systems Management funds for Municipal Railway Transit Signal System Preemption Projects, excluding Administrative Overhead costs. (Municipal Transportation Agency)

3/9/04, RECEIVED AND ASSIGNED to Land Use Committee.

ADJOURNMENT

There being no further business, the Board at the hour of 4:37p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, March 30, 2004 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Sandoval, Daly, McGoldrick	2nd, 3rd, 4th Thursday 10:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns	2nd Monday (Bi-Monthly) 4:00 PM
City Services Committee Supervisors Dufty, Ma, Hall	Thursday 9:30 AM
Finance and Audits Committee Supervisors Daly, Peskin, Ammiano	Wednesday 1:00 PM
Land Use Committee Supervisors McGoldrick, Peskin, Maxwell	Monday 1:00 PM
Rules Committee Supervisors Maxwell, Alioto-Pier, Gonzalez	Wednesday 10 00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll Supervisors Ammiano, Hall and Maxwell were noted absent.

Supervisors Ammiano and Hall were noted present at 2:09 p.m.
Supervisor Maxwell was noted present at 2:11 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Peskin, seconded by Supervisor Alioto-Pier, moved to approve March 9, 2004 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

COMMUNICATIONS

Gloria L. Young, Clerk of the Board informed the Board that the Clerk's Office received correspondences from the Director, Department of Elections informing the Board that the March 2, 2004 Consolidated Primary Election canvass had been completed. The Director also provided copies of the certification and authentication letters, relating to the Charter Amendments which were passed on the March 2, 2004 Primary Election. These letters are ready for the President of the Board and the Clerk of the Boards' signatures.

Gloria L. Young, Clerk of the Board also informed the Board that Colleen Montoya, Director of Youth Commission will be receiving an award from the Youth Leadership Institute.

CONSENT AGENDA

Recommendations of the City Services Committee

040014 **[Liquor License Transfer, 576 Green Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 311 California Street #700 to 576 Green Street (District 3), to Daniel M. Melgar, Jr. for Occidental Cigar Clubs, LLC, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 201-04
ADOPTED

040136 **[Liquor License Transfer, 709-711 Clement Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 118 Sagamore Street to 709-711 Clement Street (District 1), to Karen Wong for Richmond New May Wah Supermarket Inc., will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 202-04
ADOPTED

040162 **[Liquor License, 1350 Powell Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Robert Nunez, Steve Engelbrecht, and Craig Brition dba the Blind Tiger located at 1350 Powell Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 203-04
ADOPTED

Recommendation of Finance and Audits Committee

040321 **[Settlement of Lawsuit - United Air Lines, Inc., et al.]**
Supervisor Daly

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against United Air Lines, Inc., for the payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal.); and for the settlement of an unlitigated claim between the Airport, on the one hand, and United Air Lines, Inc. and United Cogen, Inc., on the other hand regarding an early assumption by United of its Airport leases and other agreements with regard to re UAL Corporation, et al., Debtors, Case No. 02-4819, United States Bankruptcy Court for the Northern District of Illinois, Eastern Division.

PASSED ON FIRST READING

Recommendations of the Land Use Committee

040137 **[Mission Bay - Owens Street Acceptance, Subdivision 41-43, Phase 1]**

Ordinance accepting the dedication for right-of-way purposes of the Subdivision 41-43, Phase 1 portions of property adjacent to Owens Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting miscellaneous easements and agreements relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,642 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 50-04
FINALLY PASSED

040138 **[Mission Bay – Owens Street and 16th Street Acceptance]**

Ordinance accepting the dedication for right-of-way purposes of the additional portions of property adjacent to Owens Street and 16th Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking restrictions; accepting the irrevocable offer for the acquisition facilities and declining the offer of the Pacific Gas & Electric facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,643 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 51-04
FINALLY PASSED

040139 **[Mission Bay - Fourth Street Public Improvements (UCSF – Phase 1.2)]**

Ordinance accepting the dedication for right-of-way purposes of the irrevocable offer of portions of future Fourth Street, designating additional property for right-of-way purposes, approving a map showing such areas and declaring such areas to be open public right-of-way; naming the new right-of-way; designating street grades, sidewalk widths, and street parking; accepting the irrevocable offer for the acquisition facilities; designating said facilities for public use and maintenance purposes, subject to specified limitations; accepting a utility easements agreement relating to the project, subject to specified limitations; adopting findings that such actions are consistent with the City's General Plan, the eight priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,644 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 52-04
FINALLY PASSED

040167 **[Market Street Truck Loading Bays]**

Ordinance amending San Francisco Traffic Code Section 33.3.2 to permit the Department of Parking and Traffic to designate tour bus loading zones, commercial loading zones, or parking meters in parking bays along Market Street, between Steuart and Octavia Streets. (Parking and Traffic Department)

Ordinance No. 55-04
FINALLY PASSED

040168 **[Modification of traffic regulations at Oak and Laguna Streets]**

Ordinance repealing Section 34.4 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)

Ordinance No. 56-04
FINALLY PASSED

040169 **[Modification of traffic regulations at the intersection of Fell and Laguna Streets]**

Ordinance repealing Section 34.7 of the San Francisco Traffic Code, pertaining to prohibiting left-hand turns against red or "Stop" signals, at all times. (Parking and Traffic Department)

Ordinance No. 57-04
FINALLY PASSED

Recommendations of the Rules Committee

040160 **[Settlement of Lawsuit - Maria Trapalis-Baird]**

Ordinance authorizing the settlement of lawsuit filed by Maria Trapalis-Baird against the City and County of San Francisco for $285,000; the lawsuit was filed on April 22, 2002, in San Francisco Superior Court, Case No. 419634, entitled Trapalis-Baird v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 53-04
FINALLY PASSED

040161 **[Settlement of Lawsuit - Clara Tempongko, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Clara Tempongko, Janine Bersabe, by and through her Guardian ad Litem Clara Temponkgo, and Justin Nguyen, by and through his Guardian, Shawn Nguyen against the City and County of San Francisco for $500,000; the lawsuit was filed on October 18, 2001 in the United States District Court, Case No. C01-3927 SBA; entitled Clara Tempongko, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 54-04
FINALLY PASSED

040217 **[Settlement of Lawsuit - Pacific Bell Telephone Company and SBC Communications, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Bell Telephone Company and SBC Communications, Inc., and a related law suit filed by Pacific Bell Telephone Company against San Francisco, for a payment to the Airport in the amount of $4,057,204.26, and for a payment to the Department of Administrative Services of 20% of Pacific Bell's revenues from the sale of pre-paid calling cards with the San Francisco City Seal in 2003 and 2004, and on certain other terms; and approving the settlement agreement; the lawsuits were filed on December 19, 2002 and December 20, 2002, in San Francisco County Superior Court, Case Nos. 415-918 and 415-996; and respectively entitled City and County of San Francisco v. Pacific Bell Telephone Company and SBC Communications, Inc., and Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

Ordinance No. 59-04
FINALLY PASSED

040218 **[Settlement of Lawsuit - Armstrong, et al., (Victor Humphrey)]**

Ordinance authorizing settlement of the lawsuit filed by Victor Humphrey against the City and County of San Francisco for $27,500.00; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 60-04
FINALLY PASSED

040220 **[Settlement of Lawsuit - Francisco Rivero and Pacific Interment Co., et al.]**

Ordinance authorizing settlement of the lawsuit filed by Francisco Rivero and Pacific Interment Co. against the City and County of San Francisco for $1,700,000, which includes payment of a total of $52,000 in punitive damages; the lawsuit was filed on September 9, 1993 in the United States District Court, Case No. C93-3383; entitled Francisco Rivero and Pacific Interment Co., et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 61-04
FINALLY PASSED

040193 **[Public Utilities Citizens' Advisory Committee]**
Supervisors Ammiano, Maxwell

Ordinance establishing a Public Utilities Citizens' Advisory Committee; setting standards for appointment of members; scope of review; meetings, reports and recommendations and abolishing the Wastewater Citizen's Advisory Committee.

Ordinance No. 58-04
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Consideration of Mayor's Veto

031739 **[Prohibition on Demolition of Residential Buildings With 20 or More Dwelling Units Unless the Residential Building Proposed for Demolition Requires Substantial Rehabilitation]**
Supervisors Daly, Maxwell, Ammiano

Ordinance to amend the Planning Code by adding Section 317 and by amending Sections 710.39, 711.39, 712.39, 713.39, 714.39, 715.39, 716.39, 717.39, 718.39, 719.39, 720.39, 721.39, 722.39, 723.39, 724.39, 725.39, 726.39, 727.39, 728.39, 729.39, 730.39, 813.13, 814.13, 815.13, 816.13, 817.13, 818.13, 212, 242, 243, 249.5, and 249.21 to make findings as to the need to preserve affordable housing in San Francisco and to prohibit the demolition of residential buildings with 20 or more dwelling units unless the applicant for the proposed demolition provides documentation that the residential building requires substantial rehabilitation, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 5, 2004. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before April 5, 2004.

(March 5, 2004 - Vetoed by Mayor.
March 9, 2004 - Consideration scheduled for March 30, 2004.)

Mayor's veto override failed by the following motion:

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Hall, Ma

Recommendation of the Land Use Committee

Supervisor Daly noted absent at 2:30 p.m.

031501 **[Findings for the need to regulate formula retail uses; enacting regulations for the Hayes-Gough NCD, and the Neighborhood Commercial Cluster Districts at Cole and Carl and Parnassus and Stanyan; related regulations]**
Supervisors Gonzalez, Daly, Ammiano

Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182, and Section 303 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District, designate formula retail uses as a conditional use in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for a formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to require adoption by the Planning Commission of discretionary review guidelines for evaluating proposed formula retail uses, to provide additional conditional use criteria for evaluating proposed formula retail uses, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential Districts which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 62-04
FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Hall, Ma
Absent: 1 - Daly

NEW BUSINESS

Recommendation of the City Services Committee

040276 **[Supporting OURx Bill of Rights]**
Supervisors Peskin, Sandoval, Ma, Dufty, Hall

Resolution supporting the Senior Action Network's OURx Bill of Rights and urging the California State Legislature to approve the legislative package.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 204-04
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

Recommendations of the Finance and Audits Committee

040095 **[Public Employment]**
Mayor

Ordinance amending Ordinance No. 195-03 (Annual Salary Ordinance 2003/04) reflecting the creation of 4 positions (1.00 FTE) at the Water Department, 1 position (0.25 FTE) at the Human Rights Commission, and 1 position (0.25FTE) at the Human Resources Department.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

040219 **[Administrative Code Revision: Health Service System]**
Supervisor Daly

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

040002 **[Appropriate funding for the Courthouse Construction Fund to fund court facility renovations]**
Mayor

Ordinance appropriating $1,782,000 from the Courthouse Construction Fund to fund court facility renovations and a jurisdictional transfer of property under the control of the City and County of San Francisco for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

040094 **[Appropriate funding for program management services for the S.F. Public Utilities Commission Capital Improvement Program, Program PEIR, and the intertie between EBMUD and San Francisco's water supply system]**

Mayor

Ordinance appropriating $2,747,247 of personnel-operating fund balance from the Water Department and $12,985,734 of Proposition A Bond funds, for a total of $15,732,981 for: $2,747,247 to fund office space, staff and services of other departments for continued implementation of the Capital Improvement Program (CIP) of which $595,627 is retroactive, $8,400,000 for the intertie between the East Bay Municipal Utility District (EBMUD) and San Francisco's water supply system, and $4,585,734 to fund the Programmatic Environmental Impact Report (PEIR), of which $400,000 is retroactive for necessary staff in SFPUC to work on the program planning efforts to facilitate implementation of the CIP for fiscal year 2003-04.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

Recommendation of the Land Use Committee

040230 **[Conforming with official street name change - Cesar Chavez Street]**

Ordinance amending Sections 174.04 and 174.13 of the San Francisco Traffic Code, pertaining to speed limits on Cesar Chavez Street. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly

From the Land Use Committee Without Recommendation

Supervisor Daly Excused From Voting

Supervisor Peskin, seconded by Supervisor Maxwell, moved to excuse Supervisor Daly at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

040114 **[Urging the Governor to consider postponing further Central Freeway touchdown ramp construction] Supervisor Dufty**

Resolution urging the Governor to consider postponing further construction work on the Central Freeway touchdown ramp, to allow the City and State to study alternative Central Freeway configurations that may better serve traffic flow and lessen the negative impacts on the surrounding neighborhoods.

Supervisor McGoldrick dissented in committee.

NOT ADOPTED by the following vote:

Ayes: 2 - Dufty, Gonzalez
Noes: 7 - Alioto-Pier, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Daly

Supervisor Ammiano, seconded by Supervisor Peskin, moved to rescind the previous vote: Motion carried without objection.

NOT ADOPTED by the following vote:

Ayes: 3 - Ammiano, Dufty, Gonzalez
Noes: 7 - Alioto-Pier, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisors Dufty, Hall and Ma were noted absent at 3:30 p.m.

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Dufty, Hall, Ma

Supervisor McGoldrick welcomed, introduced and presented a Certificate of Honor to Stanley Morris on the occasion of the 1000th performance of "Teatro Zinzanni".

SPECIAL ORDER 4:00 P.M.

040310 **[Public Hearing - Mitigated Negative Declaration - 8 Washington Street (aka 370 Drumm Street)]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 1, 2003 and amended February 5, 2004, Case No. 2002.0376E, approving a mitigated negative declaration for the proposed construction project located at 8 Washington Street (aka 370 Drumm Street), on Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058;
and to the decision of the Planning Commission by its Motion No. 16725 dated February 5, 2004, approving Conditional Use Application No. 2002.0376C, subject to certain conditions, and Planned Unit Development authorizing the construction of an eight-story 84-foot high mixed-use building containing up to 120 dwelling units, a garage with up to 157 parking spaces and outdoor recreation facilities within an RC-4 (Residential-Commercial Combined, High Density) District and an 84-E Height and Bulk District, located at 8 Washington Street (aka 370 Drumm Street), northeast corner of Washington and Drumm Streets; Assessor's Block 0201, Lot 012; Block 0171, Lot 069; and Block 0168, Lot 058.
(Appeal filed by Sue Hestor, attorney for Friends of Golden Gateway and subscribed by Supervisors Aaron Peskin, Jake McGoldrick, Chris Daly, Sophie Maxwell, and Matt Gonzalez.)

(Companion measure to Files 040310, 040331, 040332, 040333, 040255, 040256, 040257, 040258; District 3.)

Larry Badiner, Acting Planning Director reviewed the negative declaration process and recommendations.
Pamela Duffy, Attorney for the project sponsor reviewed with the Board the project sponsors concerns.
Sue Hestor, Attorney for appellant raised issues regarding jurisdiction of property.

Speakers:
Female speaker; support of appellant
Elaine Kim; Golden Gateway resident; support of appellant
Ernestine Weiss; support of appellant
Nan Maguire; support of appellant
Holly Suzarra; support of appellant
Bob Iranson; support of appellant
Female Speaker; support of appellant
Female Speaker; support of appellant
Lee Radner, Golden Gateway resident; support of appellant
Sue Ann McNeill; support of appellant
Katherine Gould; support of appellant
Bob Coleman, Golden Gateway Tennis Club; support of appellant
Nan Roth; support of appellant
Kerry White, Golden Gateway resident; support of project sponsor
Bea Westie, Golden Gateway resident; support of appellant
Jim Haas; support of project sponsor
Jeffrey Heller, Architects; support of project sponsor
Helen Houie, Chair of the Board of Directors Commons; support of appellant
Marty Young, Golden Gateway resident; support of appellant
Gary Burke; support of appellant
Arthur Rudsten; support of appellant
Frank O'Neill; support of project sponsor
Ms. Jerry Crowley; support of appellant
Jan Neal, San Francisco Apartment Association; support of project sponsor
Lynn Richard Dunn; support of appellant

The President declared the public hearing closed.

The Board reviewed with the Planning Department questions which were mentioned during the public hearing.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

040331 **[Adopting the mitigated negative declaration approved for 8 Washington Street (aka 370 Drumm Street)]**

Motion adopting the final mitigated negative declaration issued for 8 Washington Street and affirming the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

(Companion measure to Files 040254, 040331, 040332, 040333.)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040332 **[Disapproving the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]**

Motion disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

Motion No. M04-38

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040333 **[Preparation of findings to disapprove the mitigated negative declaration issued for 8 Washington Street (aka 370 Drumm Street)]**

Motion directing the Clerk of the Board to prepare findings disapproving the decision by the Planning Commission to issue a mitigated negative declaration for the proposed project located at 8 Washington Street. (Clerk of the Board)

Motion No. M04-39

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

040258 **[Environmental Review - 8 Washington Street (aka 370 Drumm Street)]**

Motion certifying review of Preliminary Mitigated Negative Declaration relating to proposed Conditional Use of Property at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall

(Only one of the following two motions should be adopted.)

040255 **[Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040256 **[Appeal, Conditional Use - 8 Washington Street (aka 370 Drumm Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16725, approving Conditional Use Application 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street). (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040257 **[Findings - 8 Washington Street (aka 370 Drumm Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0376C on property located at 8 Washington Street (aka 370 Drumm Street), for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

COMMITTEE REPORTS

From the Rules Committee

Supervisor Daly noted present at 2:38 p.m.

031508 **[Amending the Rules of the Board to provide the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies]**
Supervisor Daly

Motion amending Rule No. 3.12 to the Rules of Order of the Board of Supervisors to provide a process that will allow the Office of the Legislative Analyst to primarily support the Board of Supervisors' Standing Committees and regional advisory bodies.

Motion No. M04-36
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Alioto-Pier Excused From Voting

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to excuse Supervisor Alioto-Pier from voting on this item. The motion carried by the following vote:
Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Daly
Excused: 1 - Alioto-Pier

040354 **[Appointment - Golden Gate Bridge, Highway and Transportation District]**
Resolution appointing Supervisor Michela Alioto-Pier, term ending January 31, 2005 to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Supervisor Michela Alioto-Pier, succeeding Supervisor Sophie Maxwell, resigned, seat 5, must be member of the Board of Supervisors. Subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2005.
Supervisor Alioto-Pier excused.

Resolution No. 200-04
ADOPTED by the following vote:
Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, Daly

040271 **[Appointment - Urban Counties Caucus]**

Resolution appointing Supervisor Chris Daly, term ending December 31, 2004 to the Urban Counties Caucus.

Supervisor Chris Daly, succeeding Supervisor Leland Yee, term expired, seat 1, must be an elected representative from each County Board of Supervisors maintaining the membership of its supervisors in the Caucus. Each representative shall be selected at the beginning of the calendar year by the Board of Supervisors to serve a term of not less than two years to coincide with the sessions of the California Legislature, for the unexpired portion of a two-year term ending December 31, 2004.

Resolution No. 199-04

ADOPTED by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, Daly

040337 **[Establishing Joint City and School District Select Committee]**

Supervisor Gonzalez

Motion establishing a Joint City and School District Select Committee.

Motion No. M04-40

APPROVED by the following vote:

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; general issues
Female Speaker; Clear Program
Richard Robinson; support of same sex marriage
Vernon Jenkins; general issues
Female speaker, social aspects of African Americans; urged more areas to be visited by City Officials
Gordon Phibbs; support of Item No. 46
Ellis Wilson; homeless civil rights project
Bruce Allison; homeless shelters
Male speaker; homeless issues

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

040374 **[Accept - Expend Federal Grant]**
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a federal grant in the amount of $450,000.00 from the Federal Transportation Security Administration to enhance facility and operational security at the Port's cargo terminal at Pier 80.

Resolution No. 205-04
ADOPTED

040377 **[Commending Senior Deputy Fabian Brown]**
Supervisors Ammiano, Peskin

Resolution commending Senior Deputy Fabian Brown for her outstanding public service in City Hall on March 22, 2004.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 206-04
ADOPTED

040378 **[Opposition to Budget Cuts to Higher Education]**
Supervisors Ma, Sandoval

Resolution urging Governor Schwarzenegger and State Legislators to provide College Access for All Californians by opposing Budget Cuts to Higher Education.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 207-04
ADOPTED

040379 **[Voter Education Regarding Instant Runoff Voting]**
Supervisors Gonzalez, Peskin, Hall

Resolution urging the Department of Elections and Elections Commission to immediately begin voter education and outreach regarding the use of instant runoff voting for the November 2004 election.

Supervisors Peskin and Hall requested to be added as sponsors.

Resolution No. 208-04
ADOPTED

040380 **[Accept-Expend Corporate Grant]**
Supervisor Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $50,000 from the Pacific Gas and Electric Company to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.

Resolution No. 209-04
ADOPTED

040381 **[Accept-Expend Foundation Grant]**
Supervisor Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Richard and Rhoda Goldman Fund to support the development of a hydrogen fueling infrastructure in the City and County of San Francisco.

Resolution No. 210-04
ADOPTED

040386 **[Dolores Huerta Reappointment]**
Supervisors Sandoval, Ammiano, Alioto-Pier, Dufty, Peskin

Resolution supporting the reappointment of Dolores Huerta to the University of California Board of Regents.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 213-04
ADOPTED

040387 **[Commending William Breall]**
Supervisors Sandoval, Ma

Resolution commending William Breall for his tireless efforts to improve the health of San Franciscans through both research and teaching, his promotion of Jewish community services, and for extending his talents to other neighborhood projects.

Supervisor Ma requested to be added as a co-sponsor.

Resolution No. 214-04
ADOPTED

040303 **[Final Map for a 6 Unit Residential Condominium Project - 929, 931, 933, 935, 937 & 939 Vermont Street]**

Motion approving Final Map of 929, 931, 933, 935, 937 & 939 Vermont Street, A Residential Condominium Project, being a subdivision of Lot 115 in Assessor's Block No. 4093, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 174,726; District 10.)

Motion No. M04-37
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Severed from Without Reference to Committee Agenda

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

040382 **[Fairness and Safety for Employees in San Francisco Residential Buildings]**
Supervisors Peskin, Ammiano, Daly, Gonzalez, Dufty, Maxwell, Ma

Resolution supporting the Service Employees International Union, Local 1877, in their efforts to maintain and improve standards for residential building service workers and the quality of service in San Francisco's residential buildings, and to call on Frank and Walter Lembi to re-establish the high quality, family-supporting jobs at Nob Hill Towers.

Supervisors Dufty, Maxwell and Ma requested to be added as co-sponsors.

Resolution No. 211-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

040383 **[Revenue Bonds - ABAG Finance Authority]**
Supervisor Peskin

Resolution recommending approval of the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $30 million for the improvement, including seismic safety improvements, to two buildings located at 690 Market (Assessor's Block 0311, Lot 006) and 938-942 Market Street (Assessor's Block 341, Lot 005) (collectively, the "Buildings"), and making findings.

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Resolution No. 212-04

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

President Gonzalez, seconded by Supervisor Ammiano, moved ADOPTION of the Serious Injury Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

President Gonzalez, seconded by Supervisor Ammiano, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

040404 **[Sheriff Nonprofit Charter School]**
Supervisor Gonzalez

Resolution ratifying creation and continued operation of a nonprofit corporation by the Sheriff's Department to organize and operate a charter school on the premises of City-owned and operated jail facilities.

Resolution No. 215-04

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

040411 **[Waiving, for 2004, the May 1 deadline for enterprise department budget submittal]**
Supervisor Sandoval

Ordinance amending Section 3.3 of the San Francisco Administrative Code to waive, for 2004, the May 1 deadline for the Mayor to submit to the Board of Supervisors the proposed budgets for the enterprise departments of the City and County of San Francisco.

3/30/04, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the April 15, 2004 meeting.

031991 **[Work Practices for Lead-Based Paint and Fees For Implementation of Work Practices Program Provisions Regarding Interiors]**
Supervisors Peskin, Maxwell

Ordinance amending Section 3407 et seq., Section 110 Table 1-A and Section 110 Table 1-P of the San Francisco Building Code to regulate work that disturbs or removes lead-based paint in the interior of pre-1979 buildings that are in Group E3, R1 or R3 occupancy classification, as well as, the exterior of pre-1979 buildings and all steel structures; establish performance standards for work that disturbs or removes lead-based paint in the interior and exterior of such buildings and steel structure; conform the process for assessing administrative penalties with that for the issuance of an Order of Abatement, to provide a surcharge fee for alteration permits sought for buildings classified as R3 and E3 that were constructed prior to 1979 to implement the lead interior safe work practices provisions of Section 3407 et seq., to provide a surcharge license fee for apartment houses and hotels constructed prior to 1979, other than those operating only as tourist hotels, to implement the lead interior safe work practices provisions of Section 3407 et seq., and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.

(3/30/04 in Board: Supervisor Peskin submitted a substitute ordinance bearing new title; Companion measure to File 031992.)

12/9/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 1/8/2004. 2/21/04: Supervisor Maxwell requested to be added as a co-sponsor.

3/8/04, RESPONSE RECEIVED. Youth Commission supports Ordinance per memorandum dated March 1, 2004.

3/30/04, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

3/30/04, ASSIGNED to City Services Committee.

3/31/04, TRANSFERRED to Finance and Audits Committee.

030244 **[Funding for the Municipal Transportation Agency for capital projects.]**
Ordinance appropriating $35,506,484 of Breda lease-leaseback revenue to provide funding for capital projects addressing service reliability, accessibility improvements, safety improvements, facility modifications, environmental enhancements, and capacity expansion as identified by the Municipal Transportation Agency for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

2/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

3/19/04, FILED PURSUANT TO RULE 5.37.

3/30/04, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Sandoval requested this item be reactivated.

3/30/04, ASSIGNED to Finance and Audits Committee.

040403 **[Confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ann Blumlein Lazarus to the San Francisco Port Commission.
3/30/04, RECEIVED AND ASSIGNED to Rules Committee.

040404 **[Sheriff Nonprofit Charter School]**
Supervisor Gonzalez

Resolution ratifying creation and continued operation of a nonprofit corporation by the Sheriff's Department to organize and operate a charter school on the premises of City-owned and operated jail facilities.
3/30/04, ADOPTED.

040412 **[Accept-Expend State Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety for a project entitled OTS - "Avoid the 2".
3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

040413 **[Central Freeway Alternative Configurations]**
Supervisors Ammiano, Dufty

Resolution urging the Governor to postpone future retrofits of the Central Freeway deck and to commit the State to participate in a study of alternative future configurations for the Central Freeway.
3/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

040418 **[Urging City Departments to investigate the viability of Jim Reid's Shelter-One house for use as a model homeless shelter]**
Supervisors Gonzalez, Dufty

Resolution urging the Mayor's Office of Homelessness, the Department of Building Inspection, and the Planning Department to investigate the viability of using Jim Reid's Shelter-One (the smallest house in San Francisco) as a potential homeless shelter in a test pilot project.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040419 **[Public Safety Telecommunicators Week]**
Supervisors Ma, Dufty, Hall

Resolution recognizing the hard work and dedication of our public safety professionals and declaring April 11, 2004 through April 17, 2004 as "Public Safety Telecommunicators Week" in the City and County of San Francisco.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040420 **[Supporting statewide ballot initiative]**
Supervisors Maxwell, Dufty, Daly

Resolution supporting a statewide ballot initiative to require voter approval before state government may take local tax funds.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040421 **[Supporting AB 2146]**
Supervisor Peskin

Resolution urging the California State Legislature to support AB 2146, legislation to extend the season for dungeness crab fishing in the San Francisco Bay, and limiting the number of traps allowed on each vessel.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040422 **[In Home Supportive Services (IHSS)]**
Supervisors Sandoval, Dufty, Peskin, Daly, Alioto-Pier, Ma

Resolution supporting In Home Supportive Services (IHSS) providers, seniors and people with disabilities and opposing proposed state funding reductions.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040423 **[Authorizing DHS to request an ABAWD Waiver from the State Department of Social Services]**
Supervisor Sandoval

Resolution authorizing the Department of Human Services to request an ABAWD Waiver from the State Department of Social Services.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040417 **[Declaration of Election Results]**
Supervisor Dufty

Resolution declaring the results of the March 2, 2004 Consolidated Primary Election.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

040401 **[Performance and Service Hearings on various Departments]**
Supervisor Hall

Hearing on how various City departments can provide services with greater efficiencies from the following agencies and offices: 1) Aging and Adult Services; 2) Assessor-Recorder; 3) Department of Children, Youth and their Families; 4) Clerk, Board of Supervisors; 5) Controller's Office; 6) Housing Authority; 7) S.F. Public Library; 8) Department of Parking and Traffic; 9) Recreation and Parks Department; and 10) Treasurer-Tax Collector's Office.
3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

040405 **[St. Anthony Dining Room Guest Survey Report]**
Supervisor Daly

Hearing about the major findings of the St. Anthony Dining Room Guest Survey Report, the recent 20% increase in the number of guests at St. Anthony's in the first 3 months of 2004, and the general increase in the number of people visiting the City's soup kitchens and food pantries.
3/30/04, RECEIVED AND ASSIGNED to City Services Committee.

040406 **[City Department's Pooled Vehicles and Car-sharing]**
Supervisor Ammiano

Hearing to consider the Controller's recommendations regarding use of pooled vehicles and car-sharing by City departments.
3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040407 **[S.F. Fire Department Audit]**
Supervisor Sandoval

Hearing to consider the Controller's report on the audit of the San Francisco Fire Department.
3/30/04, RECEIVED AND ASSIGNED to Budget Committee.

040408 **[Proposed Civilian positions in the S.F. Police Department]**
Supervisor Sandoval

Hearing to consider the report on the proposed civilian positions in the S.F. Police Department.
3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040409 **[Fiscal Year 2004-2005 Budget Updates]**
Supervisor Sandoval

Hearing to consider budget updates from the Mayor, Controller, Budget Analyst, Legislative Analyst and City Departments for the 2004-2005 fiscal year.
3/30/04, RECEIVED AND ASSIGNED to Budget Committee.

040410 **[641 27th Avenue Building Permits]**
Supervisor McGoldrick

Hearing on the building permits issued for 641 27th Avenue and the issue raised in issuing such permits.
3/30/04, RECEIVED AND ASSIGNED to Land Use Committee.

040415 **[Develop a plan for SFUSD Buses to drop off school children at Recreation & Park facilities]**
Supervisor Maxwell

Hearing to develop a plan for San Francisco Unified School District buses to drop off school children at Recreation and Park facilities.
3/30/04, RECEIVED AND ASSIGNED to City and School District Select Committee.

040416 **[Sheriff's Elections Security for 2003 Elections]**
Supervisor Peskin

Hearing to consider the Budget Analyst's review of Sheriff's Elections Security for the October, November and December of 2003 Elections in San Francisco.
3/30/04, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the April 14, 2004 meeting.

Motions

040400 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

040414 **[Legislative Analyst Request - Selection of consultants for projects under environmental review by the Planning Department]**
Supervisors Maxwell, Peskin

Motion requesting the Office of the Legislative Analyst to provide research assistance to the Board of Supervisors regarding the selection of consultants for projects under environmental review by the Planning Department. Delineate the current selection process by the City and County of San Francisco and provide an analysis of alternative consultant selection processes utilized by other municipalities. Please include in this analysis the role of the department, the project sponsor, and interested members of the community.
3/30/04, ASSIGNED to Board of Supervisors. Scheduled for Board consideration April 13, 2004.

040424 **[Office of the Legislative Analyst; Budget Consideration]**
Supervisor Sandoval

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.
3/30/04, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

040299 **[Settlement of Lawsuit - Laurie, Adam, Jeremy and Caleb Peretz]**

Ordinance authorizing settlement of the lawsuit filed by Laurie, Adam, Jeremy and Caleb Peretz against the City and County of San Francisco for $82,500.00; the lawsuit was filed on December 24, 2002 in San Francisco Superior Court, Case No. 416086; entitled Peretz, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

040300 **[Settlement of Lawsuit - Anthony Bell]**

Ordinance authorizing settlement of the lawsuit filed by Anthony Bell against the City and County of San Francisco for $75,000; the lawsuit was filed on December 23, 2002 in San Francisco Superior Court, Case No. 416-036; entitled Anthony Bell, et al., v. City and County of San Francisco, et al. (City Attorney)

3/22/04, RECEIVED AND ASSIGNED to Rules Committee.

040301 **[Approval of taxicab color scheme transfers]**

Ordinance amending the San Francisco Police Code, by amending Section 1125 to provide that the Taxi Commission may consider the effect on the public interest, including the impact on paratransit service, when a permit holder seeks to associate with a color scheme or to transfer the permit to another color scheme. (Taxi Commission)

3/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040302 **[Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application]**

Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application. (Taxi Commission)

3/18/04, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

040298 **[Grant of Federal Funds]**

Supervisors Maxwell, Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $1,987,000 of Federal Transit Administration Section 70 funds for the Municipal Railway's NextBus Real Time Vehicle Information project, excluding administrative overhead costs. (Municipal Transportation Agency)

3/16/04, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Ammiano
To: Director, Department of Public Health
Requesting/Inquiring: Requesting justification for the proposed budget changes to Primary Care, including elimination of the Primary Care Medical Director/Chief of Service position.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation to amend the NC-2 zoning controls on Potrero Hill to offer protections commensurate with named NC-2 districts throughout the City.

From: Supervisor Peskin
To: General Manager, Public Utilities Commission
To: Director, Department of Public Works
To: General Manager, Port
Requesting/Inquiring: To provide a report listing the quantity and nature of any encroachment permits (or similar easement permits) issued for property under your department's jurisdiction; the Department's current income from these permits (itemized, if possible); and an outline of the formula employed for determining the price for issuance of these permits on property under the department's jurisdiction.

From: Supervisor Sandoval
To: Chief, Fire Department
Requesting/Inquiring: Inquiring about problems that the department's engines have in navigating the narrow, car-filled street on the 300 block of Winding Way, and inquiring about the possible changes to on-street parking that might alleviate the problems.
Requesting the Clerk send a copy of this inquiry to:
Linda D'Avirro
317 Winding Way
San Francisco, 94112

From: Supervisor Sandoval
To: Acting Director, Recreation and Park Department
To: Isabel Wade, Chair of the Park, Recreation and Open Space Advisory Committee (PROSAC)
Requesting/Inquiring: Requesting that PROSAC investigate the possibility of using money from the Open Space Fund to purchase the vacant lot adjacent to 205 Cotter Street for use as a neighborhood park.
Requesting the Clerk send a copy of this inquiry to the following:
Acting Director
Recreation and Park Department
Golden Gate Park, McLaren Lodge
501 Stanyan Street
San Francisco, 94117

Isabel Wade
Chair PROSAC
Neighborhood Parks Council
451 Hayes Street, 2nd Floor
San Francisco, 94102

PROSAC
C/o Svetlana Karasyova, Park Planner
Recreation and Park Department
Golden Gate Park, McLaren Lodge

501 Stanyan Street
San Francisco, 94117

Sharon Eberhardt
Member, PROSAC
Recreation and Park Department
Golden Gate Park, McLaren Lodge
501 Stanyan Street
San Francisco, 94117

Nancy Barber
Member, PROSAC
Golden Gate Park, McLaren Lodge
501 Stanyan Street
San Francisco, 94117

The Short Family
205 Cotter Street
San Francisco, 94112

In Memoriams

Motion that the Board adjourn its meeting on this date out of respect to the memory of the following deceased:

Neil Joseph Kelly (Supervisor Hall)
Cid Corman (Supervisor Gonzalez)
William M. Tonelli (Supervisor Sandoval)
Robert Luongo (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 5:48 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 2004.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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